

## **Section 1100.00 DEFINITIONS**

### **Section 1100.00      General Interpretation**

For the purpose of this Resolution, certain words shall be interpreted as follows:

1. The word “person” includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.
2. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
3. The present tense includes future tense, the singular number includes the plural, and vice versa.
4. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied.”
5. The word “lot” includes the words “plat” or “parcel.”
6. Any word or term not defined herein shall be given a meaning found in the latest publication of Webster’s Dictionary.
7. References to specific sections of the Ohio Revised Code or other statutory or regulatory edicts or proclamations shall be understood to extend to successor citations should the specific numbers involved be changed or altered through the amendment process.

### **Section 1100.01      Words, Terms or Phrases**

The following listed words, terms, or phrases are defined as follows.

*Note: When (RRNOSO) appears at the end of a term, it is particularly applicable in Rural Residential Neighborhood Open Space Overlay developments.*

**Abandonment:**

To cease or discontinue a use or activity without intent to resume, but excluding temporary or short term interruptions to a use or activity during periods of remodeling, maintaining or otherwise improving or re-arranging a facility or during normal periods of vacation or seasonal closure.

**Abutting:**

Having property or district lines in common.

**Acre:**

Shall be considered to be forty three thousand five hundred sixty (43,560) square feet.

Access:

A pathway permitting ingress and egress.

Accessory Structure/Use:

A structure or use that: a) is clearly incidental to and customarily found in connection with a principal building or use; b) is subordinate to and serves a principal building or a principal use; c) is subordinate in area, extent or purpose to the principal building or principal use served; d) contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or principal use served; and e) is located on the same lot as the principal building or use served.

Addition:

Any construction which increases the size of a building.

Adult Care Facility:

An Adult Care Facility provides accommodations and supervision to three to sixteen (3-16) unrelated adults, at least three of whom are provided personal care services. (See ORC 3722.01)

Adult Day Care:

(See Day Care, Adult)

Adult Entertainment:

Reference Ohio Revised Code: 503.51; 503.52; 503.53; 519.02; and 2907.40

Adult Family Home:

A residence or facility that provides accommodations and supervision to three to five (3-5) unrelated adults, at least 3 of whom require personal care services. (See ORC 3722.01)

Adult Group Home:

A residence or facility that provides accommodations to six to sixteen (6-16) unrelated adults and provides supervision and personal care services to at least three unrelated individuals. (See ORC 3722.01) (Also see Adult Care Facility, Adult Family Home)

Affordable Housing:

Housing that is affordable to low to moderate income households as defined by the U.S. Department of Housing and Urban Development (HUD).

Agricultural Tourism:

Agricultural tourism means the practice of visiting an agribusiness, horticultural or agricultural operation, including, but not limited to, a farm, orchard, winery, greenhouse, or a companion animal or livestock show for the purpose of recreation, education or active involvement in the operation other than as a contractor or employee of the operation.

1. Agriculturally related products: Items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream-base desserts and beverages, jams, honey, gift items, food stuffs, clothing and other items promoting the

farm and agriculture and value-added agricultural products and on-site production.

2. Agriculturally related uses: Those activities that predominately use agricultural products, buildings, or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc.
3. Farm market, on-farm market, roadside stand: The sale of agricultural products or value-added agricultural products directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land.
4. Non-agriculturally related products: Those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts and knick-knacks imported from other states or countries.
5. Non-agriculturally related uses: Activities that are part of an agricultural tourism operation's total offerings, but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include amusement rides, concerts, etc. and are subject to special permit.
6. Seasonal: A recurrent period characterized by certain occurrences, festivities, or crops; harvest, when crops are ready not all year round.
7. Seasonal sign: A sign erected for a limited period of time during the year when retailing activities for a particular farm product is available to the public.
8. U-pick: A fruit or vegetable-growing farm that provides the opportunity for customers to pick their own fruits or vegetables directly from the tree or plant.
9. Value-added agricultural product: The enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to, marketing, agricultural processing, transforming, packaging, and educational presentation, activities and tours that relate to agriculture or agricultural products.
10. Winery: The retail and or manufacturing premises of a small winemaker or winemaker licensee as defined by the Ohio Board of Liquor Control.

Agriculture:

For the purposes of this Resolution, "Agriculture" shall include farming; ranching; aquaculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, horses and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; production of field crops, tobacco, fruits, vegetable, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Agri-tourism or Ag-tourism:  
(See Agricultural Tourism)

Airport:

Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxi-ways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces.

Aisle:

A passageway between areas of seating or vehicle parking spaces.

Alley:

(See Street)

Alterations:

Any change, addition, modification in construction or occupancy of an existing structure.

Alteration, Structural:

Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, girders or any substantial changes in the roof and exterior walls.

Amendment:

A change in an adopted plan for site plans or to the Zoning Resolution.

Amusement Arcade:

A building or part of a building in which five or more pinball machines, video games or other similar player-operated amusement devices are maintained.

Annexation:

The incorporation of land from an unincorporated area to a municipality.

Antenna:

Any structure or device used for the purpose of collecting or transmitting electromagnetic signals, including but not limited to, directional antennae, such as panels, microwave dishes, and omni-directional antennae, such as whip antennas.

Apartment:

One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit not owned in fee simple.

Apartment Building:

A building or structure arranged, intended and designed to be occupied by three or more families living independently of each other, and each including its own separate kitchen and bathroom accommodations.

Applicant:

Owner of record or his agent duly authorized in writing by the owner of record.

Appurtenance:

An addition or projection above or beyond the principal building, but upon the same foundation.

Aquifer:

A geological unit in which porous and permeable conditions exist and thus are capable of yielding usable amounts of water.

Aquifer Recharge Area:

An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

Assisted Living Facility:

A combination of housing, supportive services, personalized assistance and health care designed to respond to the individual needs of those who need help with activities of daily living. A facility with a central or private kitchen, dining, recreational and other facilities, and separate bedrooms or living quarters, where the emphasis of the facility remains residential.

Association:

A legal entity operating under recorded land agreements or contracts through which each unit owner in a development is a member and each dwelling unit is subject to charges for a proportionate share of the expenses of the organization's activities such as maintaining open space and other common areas and providing services needed for the development. An association can take the form of a Homeowners' Association, Community Association, Condominium Association or other similar entity. (RRNOSO)

Attached:

Having a shared wall(s) and roof with another accessory or main building or structure.

Auditorium:

A room or space used, or intended to be used, at any time for assemblage.

Authority:

A qualified and legally approved official.

Auto Graveyard:

An area on which two or more vehicles are parked which are not in operating condition, are not properly housed in a building or do not bear a current valid license.

Automotive, Mobile Home, Travel Trailer, Manufactured Home and Farm Implement Sales:  
(See Sales, Automotive, Mobile Home, Travel Trailer, Manufactured Home and Farm Implement)

Automotive Repair:

The repair, rebuilding, reconditioning or servicing of motor vehicles or parts thereof including collision service, painting, and steam cleaning of vehicles. (See Garage, Service Stations)

Automotive Wrecking:

The dismantling or wrecking of used motor vehicles, manufactured homes, mobile homes, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Bar:

1. Bar and/or Cocktail Lounge: Any premises wherein alcoholic beverages are sold at retail for consumption on the premises and from which minors are excluded by law. It shall not mean a premise wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages comprises less than 25% of the gross receipts.
2. Tavern: An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks are available for consumption on the premises.

Base Flood:

The flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1% chance annual flood or one-hundred (100) year flood.

Base Flood Elevation (BFE):

The water surface elevation of the base flood in relation to a specified datum, usually the national Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988.

Basement:

A story all or partly underground but having at least one half (1/2) of its height below the average level of the adjoining ground.

Bed and Breakfast Establishments:

A house, or portion thereof, where short term lodging rooms and breakfast are provided for payment. The operator of the inn lives on the premises.

Bedroom:

A room in a dwelling unit planned and intended for sleeping, usually separated from other rooms by a door.

Berm:

A man-made mound of earth in excess of two feet in vertical height used to shield or buffer properties from adjoining uses, highways, or noise or to control the direction of surface water.

Bituminous (Bitumen):

Impregnated with, infiltrated by, or containing Bitumen; such as asphalt, crude petroleum or tar.

**Blight:**

Unightly conditions including the accumulation of debris, litter, rubbish; fences and building conditions characterized by holes, breaks, rot, crumbling, cracking, peeling or rusting; landscaping that is dead, characterized by uncontrolled growth or lack of maintenance, or damaged and any other similar conditions of disrepair and deterioration.

**Boarding House, Lodge:**

A building or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation for unrelated persons. These uses shall also be characterized by the joint use by the inhabitants of at least one of the following: kitchen area, dining room, restroom, bath area. (Also see Rooming House)

**Buffer:**

An area of land located between land uses of different character that is intended to mitigate the negative impacts of the more intense use. (RRNOSO)

1. **Land Use:** Land area used to separate or visibly shield and/or screen one use from another. (RRNOSO)
2. **Riparian:** A naturally vegetated area located adjacent to streams and rivers that is intended to stabilize banks, limit erosion, filter stormwater and provide habitat. (RRNOSO)
3. **Wetland:** An area of undisturbed natural vegetation located adjacent to the perimeter of the wetlands. (RRNOSO)

**Building:**

Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property.

**Building Envelope**

The area of a lot that encompasses all of the development. In a conservation development it is the area within which a dwelling unit is to be placed in compliance with the building setback and spacing requirements established by the Township Zoning regulations. A building envelope may or may not be located within a subplot and may or may not have frontage on a public street. (RRNOSO)

**Building Height:**

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.

**Building Setback Line:**

A line parallel with and measured from the front lot line defining the limits of a front yard in which no building or structure may be located above ground, except as provided in this Resolution.

**Building, Principal:**

A building which is the main or principal use on the lot.

Business:

1. Convenience: Commercial establishments which cater to and can be located in close proximity to, or within residential districts, without creating undue vehicular congestion, excessive noise or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry outs, dry-cleaning and laundry pickup facilities and grocery stores if less than ten thousand (10,000) square feet in floor area. Uses in this classification tend to serve day to day needs in the neighborhood.
2. Farm-Related: (See Farm-Related Business)
3. General: Commercial uses which generally require locations on or near major arterials and/or their intersections, and which tend, in addition to serving day to day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to, such activities as supermarkets, stores that sell hardware, apparel, footwear, appliances, and furniture, department stores and discount stores.
4. Office Type: Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic and drafting. Institutional offices of a charitable, philanthropic, religious or educational nature are also included in this classification.
5. Services: Any profit making activity which renders services primarily to other commercial or industrial enterprises or which services and repairs appliances and machines used in homes and business.
6. Wholesale: Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments or manufacturing establishments. These commodities are basically for further resale for use in the fabrication of a product or for use by a business service.

Camp/Campground:

A tract of land, including its area of land and/or water, which is intended for recreation and vacation purposes, on which are located temporary or permanent buildings, recreational vehicles, trailers, tents, cabins, shelters, houseboats or other accommodations of the design or character suitable for seasonal lodging.

Car Wash:

An area of land and/or a structure with machine or hand operated facilities used principally for the cleaning, washing, polishing or waxing of motor vehicles.

Carry Out Restaurant:

(See Restaurant, Fast Food)

Cemetery:

Land used, or intended to be used, for the burial of the human or animal dead and dedicated for

cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

Central Sewer System:

A public utility sewage disposal system to which individual units are connected.

Central Water System:

A public utility water distribution system to which individual units are connected.

Channel:

A natural or artificial watercourse of perceptible extent with bed and banks to confine and conduct continuously or periodically flowing water.

Child Day Care Center:

Any place in which child day care is provided, with or without compensation, for thirteen (13) or more children at any one time, or any place that is not the permanent residence of the licensee or administrator in which child day care is provided, with or without compensation, for seven (7) to twelve (12) children at any one time. In counting children for the purposes of this Zoning Resolution, any children under six (6) years of age who are related to a licensee, administrator, or employee and who are on the premises of the center shall be counted. Day care centers located in dwelling units shall not be permitted pursuant to this Zoning Resolution.

Child Day Care:

(See Day Care, Child)

Church:

An institution that people regularly attend in order to conduct religious services, meetings and other activities. The term “church” shall not carry a secular connotation and shall include any building in which the religious services of any denomination are held.

Clinic:

A place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those who are in need of medical and surgical attention, usually on an outpatient basis.

Club:

An organization of persons for special purposes for the promulgation of sports, arts, literature, politics, or the like, but not operated for profit, and excluding churches, synagogues or other places of worship.

Cluster Development:

(See Conservation Development)

Commercial Entertainment Facilities:

Any profit-making activity which is generally related to the entertainment field, such as movie theaters, carnivals, nightclubs, cocktail lounges and similar entertainment activities.

Commercial Vehicles:

Any vehicle used or designated to be used for business or commercial purpose that includes but is not limited to a bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck semi-tractor or semi-trailer.

Common Drive:

(See Driveway, Common)

Common Land, Common Area:

A parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are intended to be shared by the owners and occupants of the individual building units in a planned residential, commercial or industrial development. (RRNOSO)

Community Center:

A place, structure, area, or other facility used for and providing religious, fraternal, social and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

Composting:

The controlled biological decomposition of organic solid wastes under predominately anaerobic conditions. The end product is used for fertilizing and conditioning soil.

Comprehensive Plan:

(See Plan, Comprehensive)

Conditional Use:

A use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would not be detrimental to public health, safety or general welfare.

Condominium:

A form of real estate ownership where there is a fee simple ownership of an individual unit and fractional ownership with other persons in the common areas of the project and it is submitted to the provisions of Ohio Revised Code Chapter 5311.

Congregate Care or Living Facility:

Any residential facility in which the operator provides personal services, except skilled nursing services, for seventeen (17) or more persons. Such facilities contain only congregate kitchen, dining and living areas with separate sleeping rooms.

Conservation Development:

A contiguous area of land to be planned and developed as a single entity, in which housing units are accommodated under more flexible standards, such as building arrangements and setbacks, than those that would normally apply under single-family district regulations, allowing for the flexible grouping of houses in order to conserve open space and existing natural resources. (RRNOSO)

Contiguous:

Adjacent to and touching at or along some point or boundary.

Corner lot:

(See Lot types)

Cul-de-sac:

(See Street)

Cultural Resources:

Sites, structures and artifacts which are associated with our heritage. Their significance is archaeological, historical, aesthetic, or architectural, or they may have local cultural significance.

Day Care, Adult:

A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of a 24-hour day.

Day Care, Child:

1. Type A day care home: A permanent residence of the administrator in which child care or publicly funded child care is provided for seven (7) to twelve (12) children at one time or a permanent residence of the administrator in which child care is provided for four (4) to twelve (12) children at one time if four (4) or more children at one time are under two years of age. In counting children, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the Type A home shall be counted. Type A day-care homes do not include child day camps. (ORC Section 5104.01)
2. Type B day care home: A permanent residence of the provider in which child care is provided for one (1) to six (6) children at one time and in which no more than three (3) children are under two years of age at one time. In counting children, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted. Type B day-care homes do not include child day camps. (ORC Section 5104.01)

Dead-end Street:

(See Street)

Dedication:

The transfer of property from private to public ownership.

Density:

A unit of measurement: The number of dwelling units per acre of land.

1. Density, Gross: The total number of dwelling units divided by the total project tract/lot area, expressed as gross dwelling units per acre.
2. Density, Net: The numerical value obtained by dividing the total number of dwelling units in a development by the area of the tract of land upon which the dwelling units are proposed to

be located and including all land areas associated with the dwelling units such as common open space, parking areas and associated recreational facilities within the area. Net density calculations exclude rights-of-way of publicly dedicated streets and private streets, non-residential structures, land uses and accessory facilities and areas not related to the residential development.

Density Bonus:

An increase in the number of allowable dwelling units per acre granted for some specific reason, such as the provision of lower income housing, as provided for in the Zoning Resolution.

Depth, Lot:

(See Lot, Depth)

Detached:

Any accessory or principal building that does not share a common wall and roof with any other accessory or principal building.

Dewatering:

The withdrawal of ground water from an aquifer or saturated zone.

District:

An area within the Township with identified geographic boundaries on the Official Zoning Districts Map within which certain zoning or development regulations of this Resolution apply.

Drainage Systems:

Drainage systems are natural or man-made systems that drain/remove excess water from an area.

1. Surface: Naturally situated topographic and surface features such as swales, gullies, creeks, streams, rivers, and certain wetlands, or man-made features such as ditches, channels, catch basins, and/or retention, sediment, and/or detention ponds, designed or situated to allow water to drain from any area into another area.
2. Subsurface: Subsurface drainage systems are usually man-made and installed for the primary purpose of removing excess water from an area. These systems include “field tile” made from any material, French drains of stone, gravel, or sand, driveway culverts, culverts under public roadways and thoroughfares installed or constructed to carry and/or to control runoff water.

Drive-in Facility:

An establishment that, by design of physical facilities or by service or packaging procedures, encourages or permits customers to receive a service or obtain a product that may be used or consumed in a motor vehicle on the premise, received and taken from the premise in a motor vehicle, or to be entertained while remaining in an automobile.

Drive-in Restaurant:

(See Restaurant, Drive-in and Restaurant, Fast Food)

Driveway, Common:

In a conservation development, a private way which provides vehicular access to at least two (2) but not more than four (4) dwelling units. (RRNOSO)

Dwelling:

Any building or structure (except a manufactured home as defined by Ohio Revised Code 4501.01) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants, but does not include hotels, or motels.

(See Factory Built Housing)

1. Industrialized Unit: An assembly of materials or products comprising all or part of a total structure which, when constructed, is self-sufficient or substantially self-sufficient and when installed, constitutes a dwelling unit, except for necessary preparations for its placement, and including a modular or sectional unit, but not a mobile home.
2. Multi-Family: A dwelling or group of dwellings on one lot, containing separate living units for three or more families, having separate or joint entrances, including apartments, group homes, row houses and condominiums.
3. Single-Family Attached: Dwelling units structurally attached to one another, side by side, and erected as a single building, each dwelling unit being separated from the adjoining unit or units by a party wall without openings extending from the basement floor to the roof with each unit including separate ground floor entrances, services and attached garages.  
(RRNOSO)
4. Single-Family Cluster: A building designed and used exclusively by one (1) family and separated from all other dwelling units by air space from ground to sky, which is grouped with other dwellings on a site and which may be located on its own subdivided lot without a front, side and/or rear yard in compliance with the standard zoning district regulations.  
(RRNOSO)
5. Single-Family Detached: A building designed or used exclusively for residential purposes by one (1) family, situated on a parcel having a front, side and rear yard.
6. Town House: Three (3) or more one (1) family dwelling units, each having access on the first floor to the ground with common walls separating the dwelling units.
7. Two Family: A building consisting of two (2) dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling Unit:

Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by one family.

Earth Products:

Any solid material, aggregate, or substance of commercial value, whether consolidated or loose, found in natural deposits on or in the earth, including but not limited to clay, silt, peat, diatomaceous earth, sand, gravel, stone, metallic ores, shale, and soil.

Easement:

Authorization by a property owner for the use by another and for a specified purpose of any designated part of the owner's property.

Easement, Conservation:

A legal interest in land which restricts development and other uses of the property for the public purpose of preserving the rural, open, natural or agricultural qualities of the property as authorized by ORCS 5301.67 through 5301.70. (RRNOSO)

Emergency Shelter/Mission:

A facility providing temporary housing and/or ancillary services for one or more individuals who are otherwise homeless and/or indigent or needy.

Essential Services:

Services provided by public and private utilities, necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface or overhead gas, electrical, steam, water, sanitary sewage, storm water drainage and communication systems and accessories thereto, such as poles towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations and hydrants, but not including buildings used or intended to be used for human habitation. (Also see Public Service Facility)

Facade:

The exterior wall of a building exposed to public view or that wall viewed by persons outside the building.

Factory Built Housing:

Factory built housing means a factory built structure designed for long term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this Resolution, "factory built housing" shall include the following:

1. Manufactured Home: Any non-self-propelled vehicle transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and which bears a label certifying that it is built in compliance with Federal Manufactured Housing Construction and Safety Standards.
2. Modular Home: Factory built housing certified as meeting the Local or State Building Code as applicable to modular housing. Once certified by the state, modular homes shall be subject to the same standards as site built homes.
3. Mobile Home: From Section 4501.01 of the Ohio Revised Code, a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on

a permanent chassis, is transportable in one or more sections, but does not qualify as a certified Manufactured Home (ORC Sec. 3781.06.C4)

Family:

One (1) person; a group of persons related by blood, marriage, or legal adoption; or a group of unrelated individuals living together as a single housekeeping unit in a dwelling unit, living in a domestic relationship based upon a domestic bond; as distinguished from a group occupying a boarding house, a lodging house, club, fraternity, sorority, hotel, motel or dormitory.

Farm:

A parcel of land used for agricultural purposes, including related structures thereon.

Farm-Related Business:

A business operated on a farm parcel related to or supportive of agricultural activities, such as farm implement repair, family crafts, sale of farm supplies. Farming shall remain the primary use.

Fast Food Restaurant:

(See Restaurant, Fast Food and Restaurant, Drive-in)

Federal Emergency Management Agency (FEMA):

The agency with the overall responsibility for administering the National Flood Insurance Program.

Fence:

A barrier constructed to enclose an area for protective and/or screening purposes.

Flea Market:

A building, buildings or open area in which stalls or sales areas are rented or otherwise provided and set aside, which are intended for use by various individuals to sell articles that are either homemade, homegrown, hand-crafted, old, obsolete or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade, not to include private garage sales.

Flood or Flooding:

A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, and/or unusual and rapid accumulation or run-off of surface waters from any source.

Flood Hazard Area, Special:

Also known as "Areas of Special Flood Hazard," it is the land in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency as Zone A, AE, AH, AO, A1-30, and A99 on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps. Special flood hazard areas may also refer to areas that are flood prone and designated from other federal, state or local sources of data including but not limited

to historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.

Flood Insurance Rate Map (FIRM):

An official map on which the Federal Emergency Management Agency or the U.S. Department of Housing & Urban Development has delineated the areas of special flood hazard.

Flood Plain:

(See Flood Hazard Area, Special)

Floodway:

The channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis.

Floor Area:

(Also see Floor Area reference in “Off-Street Parking and Loading,” Section 900.02)

1. Living: The sum of the gross horizontal area of the floors of a residential building, excluding the basement floor areas not devoted to residential use as habitable space. Porches, terraces, garages or other spaces not in compliance with building code specifications for habitable space are also excluded as living floor area.
2. Non-Residential Building: (used in calculation of parking requirements)  
The sum of the floor area of the specified use excluding stairs, washroom, elevator shafts, maintenance shafts and room, storage spaces, display windows, measured from the interior faces of exterior walls.

Food Processing:

The preparation, storage or processing of food products. Examples of these activities include bakeries, dairies, canneries and other similar businesses.

Footcandle:

The luminance on a surface of one square foot in area on which there is uniformly distributed a light flux of one lumen.

Garage, Private:

A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

Garage, Public:

A principle or accessory building other than a private garage used for parking or temporary storage of passenger automobiles, and in which no service shall be provided for remuneration.

Garage, Service Station:

Buildings and premises where gasoline, oil, grease, batteries, tires and motor vehicle accessories may be supplied and dispensed at retail, where in addition, the following services may be

rendered and sales made wholly within the building:

1. Sales and service of spark plugs, batteries, and distributor parts
2. Tire servicing and repair, but not recapping or re-grooving
3. Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearings, mirrors and the like
4. Radiator cleaning and flushing
5. Radiator repair
6. Greasing and lubrication
7. Providing and repairing fuel pumps and lines
8. Minor servicing, and repair of carburetors
9. Adjusting and repairing brakes
10. Minor motor adjustment not involving removal of the head or crankcase
11. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principal operations
12. Provisions of road maps and other informational material to customers
13. Provision of restroom facilities
14. Warranty maintenance and safety inspections

Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding and storage of automobiles not in operating condition or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations. A service station is not a repair garage or a body shop.

Gas:

All natural gas and all other fluid hydrocarbons not defined as oil, including condensate.

Glare:

A sensation of brightness within the visual field that causes annoyance, discomfort or loss in visual performance and visibility.

Grade:

1. Finished: The average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the ground level shall be measured at the sidewalk.
2. Natural: The elevation of the undisturbed natural surface of the ground prior to an excavation or fill.

Hazardous Substances:

Any substance or materials that, by reason of their toxic, caustic, corrosive, abrasive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

Health Club:

Health club means, but is not limited to, gymnasiums (except public), private clubs (athletic, health, or recreational), reducing salons and weight control establishments.

Home-Based Business and/or Occupation:

An accessory use of residential property which is an activity, profession, occupation, service, craft or revenue enhancing hobby clearly incidental and subordinate to the use of the premises as a dwelling and such accessory use does not change the residential character of the buildings, site or neighborhood.

Home Office:

An accessory use in which work for compensation is undertaken, including but not limited to, receiving or initiating correspondence, such as phone calls, mail, faxes or e-mail; preparing or maintaining business records, word and data processing; and telephone, mail order and off premise sales.

Homeowners Association:

A private, nonprofit corporation or association of homeowners for the purpose of owning, operating and maintaining various common properties. (Also see Association)

Hospital:

An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities and staff offices that are an integral part of the facilities.

Hotel, Motel, Apartment Hotel:

A building in which lodging or boarding are provided and offered to the public for compensation. As such, it is open to the public as opposed to a boarding house, rooming house, lodging house or dormitory.

Household Pet:

Animals that are customarily kept for personal use or enjoyment within the home. Household pets shall include but not be limited to domestic dogs, domestic cats, domestic tropical birds and rodents.

Impervious Surface:

A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, lime rock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar structures.

**Impound Lot:**

Short term storage (not to exceed sixty (60) days) of motor vehicles as described in ORC 4501.01(B).

**Improvement, Public:**

Any roadway, sidewalk, pedestrian way, tree lawn, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or that may affect an improvement for which responsibility by the local government is established. (RRNOSO)

**In situ:**

At the permitted site.

**Industrial Park:**

A planned, coordinated development of a tract of land with two or more separate industrial buildings and related uses. Such development is planned, designed, constructed and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation and open space.

**Industry:**

1. **Heavy:** A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials; a use engaged in the storage of or manufacturing with flammable or explosive materials; storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.
2. **Light:** A use engaged in the manufacture of goods from predominantly previously-prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing.

**Institution, Educational, Religious, or Charitable:**

Buildings and/or land designed to aid individuals in educational, religious, charitable or other such pursuits.

**Institution, Human Care:**

A building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitation, counseling or other correctional services.

**Junk:**

Waste, discarded or salvaged materials, such as scrap metals, used building materials, used lumber, used glass, discarded motor vehicle(s), paper, rags, rubber, cordage, barrels and other similar type materials.

**Junk Shop, Junk Buildings, Junk Yards:**

Any area of at least seventy five (75) square feet of land, buildings, or structures, whether for private or commercial purposes, where waste, discarded or salvaged materials such as scrap metals, used building materials, used lumber, used glass, discarded motor vehicles, paper, rags,

rubber cordage, barrels, etc. are sold, stored or processed; any land used for storing or keeping of two (2) or more junk motor vehicles in the open on any premises for more than seventy-two (72) hours.

Junk Vehicles:

Any motor vehicle that meets the following criteria:

1) Is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission; 2) is inoperable; or, 3) is unlicensed.

Kennel:

Any lot or premises on which two (2) or more dogs are bred for sale or for hunting or are boarded.

Land Trust:

A non-profit, tax-exempt entity whose primary purpose includes the preservation of open space, natural land, rural land, or easements under ORCS 5301.68.

Landfill:

Environmentally acceptable disposal of waste on the ground. Sanitary landfills are where non-hazardous waste is spread in layers, compacted, and covered with earth at the end of each working day. Secure landfills (also called sanitary landfills) are those where hazardous waste is disposed of by burial, in holes or trenches in ground lined with impervious plastic sheeting to prevent leakage or leaching of dangerous substances into soil and water supply.

Landscaping:

The aesthetic improvement of property through the installation of plant materials, berming, walls, fences and other decorative features.

Lattice antenna:

Any self-supporting structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation.

Laundry, Self Service:

A business that provides home type washing, drying and/or ironing machines for hire to be used by customers on the premises.

Loading Space, Off-Street:

Space logically and conveniently located for bulk pickups and deliveries scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

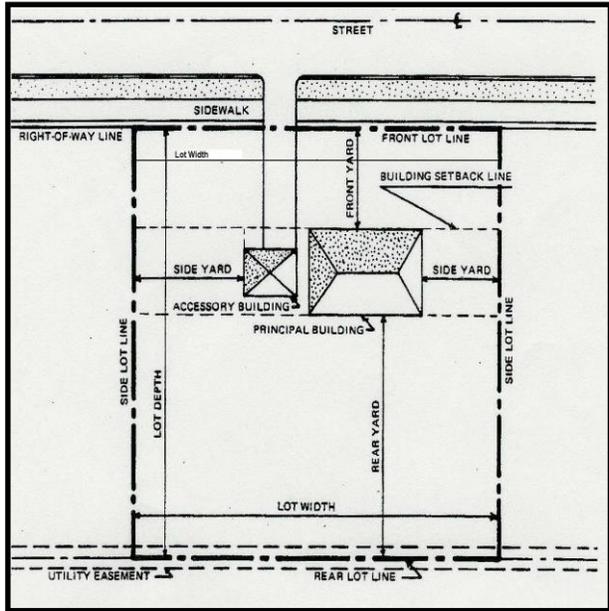
Location Map:

(See Vicinity Map)

Lot:

A lot is a parcel of land sufficient in size to meet minimum zoning and subdivision requirements for use, coverage and area, and to provide yards and other open spaces as are herein required and having its principal frontage on a public street or private street built to Portage County Subdivision Regulation standards. In a conservation development, the lot may or may not have frontage on a dedicated street.

1. Area: (See Minimum Area)
2. Coverage: A measure of intensity of land use that represents the portion of a site that is impervious. This portion includes, but is not limited to, all areas covered by buildings, driveways, roads, sidewalks and any area of concrete or similar impervious material. The percent of lot coverage is usually expressed as a ratio of impervious surface to the total lot size.
3. Depth: The mean horizontal distance between the right-of-way line and the rear lot line.
4. Frontage: The horizontal distance measured between the side lot lines at the street right-of-way corresponding to the curve of the right-of-way.
5. Minimum Area (size): The area of a lot which is computed using the legal description.
6. Width: The horizontal distance between the side lot lines measured along a line parallel to the road right-of-way at the building setback line.

Lot Line(s):

The lines defining the boundaries of a lot.

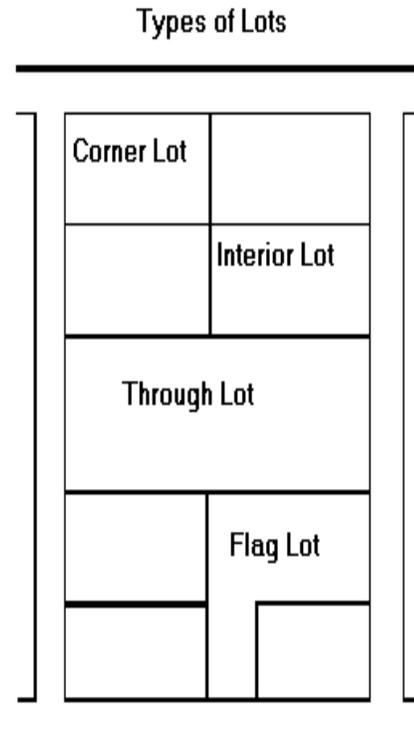
1. Front: The line separating the front of the lot from the street it faces
2. Rear: The rear property line of a lot is the lot line that is opposite of the front property line.
3. Side: Any lot line that is not a front or rear lot line. On a corner lot, a side lot line may be adjacent to a street.

Lot of Record:

A lot which is recorded in the office of the County Recorder or a lot or parcel described by metes and bounds, the description of which has been so recorded prior to the effective date of this Zoning Resolution.

Lots, Types of:

1. Corner Lot: A lot which occupies an interior angle of less than 135 degrees, formed by the intersection of two streets or a street and an accessway.
2. Interior Lot: A lot with frontage on only one (1) street.
3. Through Lot: A lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.
4. Reversed Frontage Lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
5. Flag Lot: A lot with access provided to the bulk of the lot by means of a narrow corridor.

Maintenance Guarantee:

A guarantee of facilities or work to ensure the correction of any failures of any improvements required pursuant to this Resolution or to maintain such improvements over a specified, agreed upon period of time.

Maintenance and Storage Facilities:

Land, buildings and structures devoted primarily to the maintenance and storage of construction equipment and material.

Major Thoroughfare Plan:

(See Plan, Major Thoroughfare).

Manufactured Home:

(See Factory Built Housing)

Manufactured Home Park:

Any site or tract of land under single ownership upon which three or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle or enclosure used or intended for use as a part of the facilities of such park.

Manufacturing, Extractive:

Any mining, quarrying, excavating, processing, storing, separating, cleaning or marketing of any mineral natural resources or earth products.

Manufacturing:

1. Heavy: Manufacturing uses which are generally major operations and extensive in character. They require large sites, their own storage and service areas, extensive services and facilities, ready access to regional transportation and normally generate some nuisances such as noise, vibration, dust, and glare, but not beyond the district boundary.
2. Light: Manufacturing uses that are usually controlled operations, relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust. They operate and store materials within enclosed structures and generate little industrial traffic and no nuisances.

Marquee:

Any hood or awning of permanent construction projecting from the wall of a building, above an entrance over a street or sidewalk, or portion thereof.

Massage Parlor:

An establishment where massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the state. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

Mini-Storage Facility:

A building or group of buildings containing varying sizes of individual compartmentalized and controlled access stalls or lockers for the dead storage of a customer's goods or wares.

Mobile Home:

(See Factory Built Housing)

Mobile Home Park:

(See Manufactured Home Park)

Modular Home:

(See Factory Built Housing)

Monopole:

Any support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

Motel:

A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. An automobile court or a tourist court with more than one (1) unit or a motor lodge shall be deemed a motel. (Also see Hotel)

Motor Vehicle:

Any self-propelled vehicle designed primarily for transportation of persons or goods along public streets or other public ways.

1. Commercial: Any motor vehicle designed to be used for business or commercial purposes and includes, but is not limited to: a bus, cement truck, commercial tree trimming equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, stake bed truck, step van, tank truck, tar truck or other commercial type vehicle licensed by the State of Ohio as a commercial vehicle or truck.
2. Inoperable: A motor vehicle that is unlicensed, apparently inoperable, or extensively damaged including, but not limited to any of the following: missing wheels, tires, engine, or transmission.
3. Junk: (See Junk Vehicle)

Mulching Facility:

A mulching facility is a compost processing center for grinding natural wood and other organic materials and operates for the controlled biological decomposition of such organic materials; the facility mechanically reduces the size and makeup of such organic materials for resale as mulch and related products. A facility engaged solely in the storage and sale of mulch and compost without on-site processing is not a mulching facility under this definition.

Natural Feature:

An existing component of the landscape maintained as a part of the natural environment that contributes beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, the natural diversity of plant and animal species, human recreation, and the reduction of climatic stress and energy costs. (RRNOSO)

Nightclub:

A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing is permitted and/or entertainment provided and includes the term “cabaret”. (Also see Bar)

Nonconforming:

Lots, uses of land, structures, and uses of structures and land in combination lawfully existing at the time of enactment of this Resolution or its amendments which do not conform to the regulations of the district or zone in which they are situated and are therefore incompatible.

Nudity or State of Nudity:

The appearance of a bare human body.

Nuisance:

Anything that interferes with the use or enjoyment of property, endangers personal health or safety or is offensive to the senses.

Nursery:

Land, building, structure or combination thereof for the storage, cultivation, transplanting of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening and landscaping.

Nursing Home:

1. Institutional: A state licensed home or facility for the care and treatment of people on a long term basis.

2. Non-institutional: A facility licensed or certified to provide domiciliary care for nine (9) to sixteen (16) individuals who are dependent on the services of others by reasons of health, physical or mental impairment (not mental retardation or developmental disabilities) but who do not require skilled nursing care.

Office:

A building or portion of a building wherein services are performed involving predominantly administrative, professional or clerical operations.

Office Park:

A large tract of land that has been planned, developed and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses with special attention given to circulation, parking, utility needs, aesthetics and compatibility.

Open Space:

An area substantially open to the sky which may be on the same lot with a building. The area may include along with the natural environmental features, water areas, swimming pools and tennis courts, and any other recreational facilities. Streets, parking areas, structures for habitation and required side, front and rear yards shall not be included.

1. Common: Open space within or related to a development, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development.
2. Restricted: Open space within a conservation development that is of sufficient size and shape to meet the minimum zoning requirements and is restricted from further development according to the provisions of Section 401. (RRNOSO)

Ohio Revised Code (ORC):

The Ohio Revised Code contains all acts passed by the Ohio General Assembly and signed by the governor.

Outdoor Storage:

The keeping of any goods, junk, material, merchandise or vehicles in an out-of-doors place for more than twenty four (24) hours.

Overburden:

All of the earth and other materials that cover a natural deposit of minerals or such earth and other materials after removal from their natural state in the process of surface mining.

Overlay District:

A district established by the Zoning Resolution where certain additional requirements are superimposed upon a base zoning district or underlying district and where the requirements of the base or underlying district may or may not be altered.

Park:

A public or private area of land, with or without buildings, developed either for passive or active recreational uses. The development may include but shall not be limited to walkways, benches, open fields, multi-use courts, swimming and wading pools, amphitheaters, etc. The term “park” shall not include zoos, travel trailer parks, amusements parks, or vehicle, equestrian or dog racing facilities.

Parking Lot:

An area not within a building where motor vehicles may be stored for the purposes of temporary, daily or overnight off-street parking.

Parking, Shared:

The development and use of parking areas on two (2) or more separate properties for joint use by the businesses on those properties.

Parking Space (off-street):

An unobstructed space or area other than a street or alley that is permanently reserved and maintained for the parking of one motor vehicle with room for opening doors on both sides.

Parties in Interest:

Includes the applicant and the property owners contiguous to the property lines of the subject property as they appear on the current county tax map.

Personal Services:

Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors and similar activities.

Plan:

1. Comprehensive: A plan, or any portion thereof, adopted by the appropriate authorities, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools and other community facilities. This plan establishes the goals, objectives and policies of the community.
2. Development: A proposal including drawing(s) and map(s) for a development, prepared in accordance with these regulations, illustrating the proposed design, layout, and other features pertinent to improvement of the site.
3. Major Thoroughfare: A Plan adopted by the Planning Commission or other authority indicating the general location recommended for arterial, collector and local thoroughfares within the appropriate jurisdiction.
4. Site: A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations. Depending on requirements, it may include property boundaries, proposed streets, building sites, open space, buildings, major landscape features (natural and man-made) and locations of proposed utilities.

Planned Unit Development:

A tract of land that is controlled by one entity and is planned and developed as a whole, either all at once or in programmed stages. PUDs are developed according to detailed site plans and may incorporate a mix of land uses as allowed by this resolution. PUDs are utilized to provide flexibility in the design of development and as a means to preserve more open space and other amenities in a community.

Planning Commission, Regional Planning Commission:

The public body empowered by statute to prepare plans; in Portage County it is the Portage County Regional Planning Commission.

Plat:

A map of a subdivision.

Pollution:

The contamination or other alteration of the physical, chemical or biological properties of any land, air or water or the discharge of any liquid, gaseous or solid substance into/on the land, air or water that will or is likely to create a nuisance or render such land, air or water harmful, detrimental or injurious to public health, safety or welfare, unsuitable for domestic, commercial, agricultural, recreational or other beneficial uses, or harmful to livestock, animals or aquatic life.

Primary Use:

First in order of uses of a lot or structure. (Also see Principal Use)

Principal Building:

A building in which is conducted the primary use of the lot on which it is located.

Principal Use:

The primary use and chief purpose of a lot or structure. (Also see Primary Use)

Print Shop:

A retail establishment that provides duplicating services using photocopy, scanning, blueprint, offset printing or other reproduction equipment, including collating of booklets and reports.

Professional Activities:

The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, engineers and similar professions.

Professionally Drawn:

Plans that are prepared by a professional engineer, architect, or surveyor, as applicable and which shall have their respective seals on the plans.

Public Service Facility:

The erection, construction, alteration, operation or maintenance of buildings, power plants or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad whether publicly or

privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services. (Also see Essential Services)

Public Uses:

Public parks, schools, administrative and cultural buildings and structures, not including public lands or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

Public Utilities Commission of Ohio (P.U.C.O.):

The Public Utilities Commission of Ohio sets rates and revenues for various public utilities in the State of Ohio.

Public Way:

Any sidewalk, street, alley, highway or other public thoroughfare or other portions of the land which the general public or a public entity has a right to enter and use for travel, or which are dedicated, whether improved or not.

Quasi-Public Use:

Churches, parochial schools, colleges, hospitals and other facilities of an educational, religious, charitable, philanthropic or nonprofit nature.

Recreation:

1. Active: Recreational activities that require physical alteration to the area where they are performed. This type of recreation may involve high vehicle trip generation and has the potential for greater nuisance to adjacent properties due to noise, light, odor or glare. Such areas are intensively used and include but are not limited to playgrounds, tennis and other court games, baseball and other field sports, golf courses, swimming pools and may include lighted facilities. (RRNOSO)
2. Passive: Non-intensive, non-motorized recreation requiring minimal alteration of existing topography and vegetation. Such passive recreation may include but is not limited to hiking, bicycling, picnicking, bird watching, horseback riding and other similar activities that have minimal impact on natural resources.

Recreational Facilities:

Public or private facilities that may be classified as either “passive” or “active” depending on the scope of services offered and the extent of use. Passive facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, riding clubs and parks. Active facilities generally require less land (used more intensively) and include, but need not be limited to miniature golf courses, amusement parks, stadiums, bowling alleys, and tennis courts.

Recreational Vehicle:

A vehicular portable structure that is designed and constructed to be used as a temporary dwelling for travel, recreational and vacation uses and is classified as follows:

1. Fifth Wheel Trailer: A vehicle that is of such size and weight as to be movable without a special highway permit, that has a gross trailer area of four hundred (400) square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan and that is designed to be towed by a vehicle equipped with a fifth wheel hitch ordinarily installed in the bed of a truck.
2. Motor Home: A self-propelled recreational vehicle that is constructed with permanently installed facilities for cold storage, cooking and consumption of food, and for sleeping.
3. Travel Trailer: A non-self propelled recreational vehicle that does not exceed an overall length of thirty-five (35) feet or as otherwise defined by the Ohio Revised Code, exclusive of bumper and tongue or coupling. Tent-type fold-out camping trailer is also included.
4. Truck Camper: A non-self propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. A truck camper does not include truck covers that consist of walls and a roof that do not have floors and facilities enabling them to be used as a temporary dwelling.

Recreational Vehicle Park:

Any lot or land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Recycling Collection Point:

An incidental use that serves as a neighborhood drop off point for temporary storage of recoverable resources. No processing of such items is allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public area such as in churches and schools.

Recycling Facility:

A building in which recyclable materials are processed for sale; materials are collected in enclosed containers.

Research Activities:

Research, development and testing related to chemical, pharmaceutical, medical, electrical, transportation, and engineering processes or methods. All research, testing and development shall be carried on within entirely enclosed buildings and no noise, smoke, glare, vibration, radiation or odor shall be detected outside of said building.

Residential Care Facility:

(See Congregate Care or Living Facility)

Residential Structure:

(See Dwelling)

Rest Home:

(See Nursing Home)

**Restaurant:**

A business establishment whose principal business is the selling of unpackaged food to the customer in a ready to consume state, in individual servings or in nondisposable containers, and where the customer consumes these foods while seated at tables or counters located within the building. This includes outdoor cafes.

1. **Drive-in:**

An establishment that delivers prepared food and/or beverages to the customers' motor vehicles regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles for consumption either on or off the premises.

2. **Fast Food:**

An establishment that offers quick food service which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried or grilled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table and food is generally served in disposable wrapping or containers.

**Retirement Facility:**

A facility providing living quarters, either owned or rented to persons age fifty-five (55) years of age or older. Such facility may be a single structure or a group of structures and may include medical, recreational and commercial services if such services are available and predominantly designed for residents and their guests.

**Right-of-way:**

A strip of land occupied or intended to be occupied by a street, sidewalk, highway, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.

**Ringlemann Chart:**

A chart, published by the U.S. Bureau of Mines, used in making subjective estimates of the amount of solid matter emitted by smoke stacks; the observer compares the grayness of the smoke with a series of shade diagrams formed by horizontal and vertical black lines on a white background. (U.S. Bureau of Mines Information Circular #8333)

**Riparian:**

Of or relating to or located on the banks of a natural watercourse, such as a river or stream, or sometimes of a lake.

**River Bank**

(See Stream, Bank)

**Road:**

(See Street)

**Roadside Stand:**

A temporary structure designed or used for display or sale of agricultural and related products by the owner or lessee of the property on which it is located. Products sold are primarily produced on the premises.

Rooming House:

A residential structure that provides lodging with or without meals, is available for permanent occupancy only, and which makes no provision for cooking in any of the rooms occupied by paying guests. (Also see Boarding House, Lodge)

Rural Character:

An atmosphere of a community that is characterized by:<sup>1</sup>

1. *Rural Views*: Long, wide open views, created by unobstructed fields backed by woodlands. Fences and hedgerows typically define field edges. Buildings are clustered in the midst of a field or near the backdrop of woodlands. Fields and woodlands are separated from the road by ditches and fences. There is a roughness against the edge of the road in the form of wild grasses and flowers and older trees. The view down the road may be enclosed with overarching trees, or winding as it follows natural contours. It is often open and undulating, revealing property lines of original farmsteads. Clustered towns or villages may be viewed in the distance, providing a sense of orientation to the viewer.
 
2. *Traditional Settlement Patterns*: Buildings are grouped in the midst of wide open spaces. “At any scale, a person has a sense of moving through large areas of open space and then coming to a settlement pattern. This pattern is repeated over and over again. At the scale of the farmstead, a house, barn and several outbuildings are grouped together in the midst of wide-open spaces—fields, orchards, or wooded areas. At a larger scale, a crossroads settlement may consist of a few compactly sited homes and local stores. A town or village center is at the heart of a rural community. A core commercial and business district is surrounded by a few blocks of small in-town residential lots. The edge of town is clearly defined by a return to large areas of open space.... A strong separation of uses common to suburban areas is not practical for rural lifestyles.”<sup>2</sup>


Drawing by Center for Rural Massachusetts
3. *Large Areas of Undeveloped Land*: Rural areas also have “large areas of undeveloped land that have several characteristics in common: in order to continue in their existing function they must be of a certain size and configuration; and they require a buffer of distance or vegetation to separate them from development.”<sup>3</sup>

<sup>1</sup> Country Side Program, Conservation Resource Development Manual, (Western Reserve Resource Conservation and Development Council, 1998) p.p. 1A-1, 1A-2.

<sup>2</sup> Ibid. p. 1A-2.

<sup>3</sup> Ibid.

4. *Historic Structures and Landscapes*: Rural character includes the man made structures and plantings that have in the past and continue to contribute to a community's heritage. These features include farmsteads, town halls, older homes, stone walls, hedgerows, mature stands of trees, and commercial storefronts.

Sales, Automotive, Mobile Home, Travel Trailer, Manufactured Home and Farm Implement:

The sale or rental of new and used motor vehicles, mobile homes, travel trailers or farm implements, but not including repair work, except incidental warranty repair of same, to be displayed and sold on the premises.

Screening:

A method of visually shielding or concealing an abutting or nearby use from an adjacent site. Screening techniques include fences, walls, hedges, berms or other features. (See also Buffer)

Seat:

For purposes of determining the number of off-street parking spaces for certain uses; the number of seats is the number of seating units installed or indicated, or each twenty four (24) lineal inches of benches, pews or space for loose chairs.

Secondary Use:

Next in importance to primary or principal use.

Self-Service Station:

An establishment where liquids used as motor fuels are stored and dispersed into the fuel tanks of motor vehicles by persons other than the service station attendant and may include facilities available for the sale of other retail products.

Self-Service Storage Facility:

A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares.

Setback:

The required distance between a building and a lot line, street right-of-way, pavement, stream or riverbank, wetland or other delineated site feature.

Sewers, On-site or Home Sewage Disposal Systems:

A septic tank or similar installation on an individual lot which utilizes bacteriological processes or other approved processes for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of the health department or other officials having jurisdiction.

Sexually Oriented Businesses:

(See Adult Entertainment)

Shopping Center:

A grouping of retail business and service uses on a single site with common parking facilities.

Sidewalk:

That portion of the road right-of-way, outside the paved surface of the road, which is improved for the use of pedestrian traffic.

Sign:

Any display, figure, painting, drawing, placard, poster, or other device visible from a public way which is designated, intended, or used to convey a message, advertise, inform, or direct attention to a person, institution, organization, activity, place, object, or product. It may be a structure or any part thereof, or may be attached to, painted on, or in any other manner represented on a building or other structure.

1. Animated or Moving: A sign that uses movement, lighting or special materials to depict action or create a special effect to imitate movement.
2. Area: That area within a rectangular form or within a combination of geometric forms comprising the sum of all of the display area of the sign except frames and structural members not being used for advertising.
3. Awning, Canopy, or Marquee: A sign painted, stamped, perforated, stitched, or otherwise applied on the valance of an awning or marquee.
4. Billboard: A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premise on which the sign is located. (Also see Sign, Off Premise)
5. Directional: Signs that are designed to direct and inform the public as to the location of exits, entrances, service areas, loading and unloading areas.
6. Directory: A sign or group of signs either attached to the building or freestanding that lists the names, uses or locations of various businesses or activities conducted within a building or group of buildings and intended to provide on-site directions.
7. Electronic Message Board: Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change are electronically programmed and can be modified by electronic processes.
8. Face: The area or display surface used for the message.
9. Free Standing, Ground and Pole: A sign supported by uprights or braces, placed on or in the ground.
10. Height: The vertical distance from the average ground elevation between the sign supports or base of a freestanding sign to the highest point of the sign structure.
11. Illuminated: Any sign illuminated by electricity, gas or other artificial light including reflecting or phosphorescent light.

12. Informational: Signs that are used to direct traffic flow, to indicate parking areas, or to provide other essential information to guide vehicular or pedestrian traffic flow. (Also see Signs, Directional)
13. Lighting Device: Any light, string of lights or group of lights located or arranged so as to cast illumination on a sign.
14. Off Premise: Any sign unrelated to a business or profession conducted or to a commodity or service sold or offered upon the premises where such sign is located.
15. On Premise: Any sign related to a business or profession conducted or a commodity or service sold or offered upon the premises where such sign is located.
16. Planter or Monument: A free standing sign that utilizes plants, (the majority of which are evergreen) and stone, wood or other building materials to screen the supporting structure of the sign that is designed to enhance the appearance of the building and premises and the community in general as well as to identify and advertise.
17. Pole: A free standing sign that is designed to be mounted on a pole or other similar structure that is itself not an integral part of or attached to a building or other structure.
18. Portable: A sign that is not permanently affixed to a building, other unmovable structure or the ground.
19. Projecting: Any sign which projects from the exterior of a building.
20. Roof: Any sign erected upon, against or directly above a roof or roof eaves or on top or above the parapet.
21. Temporary: A sign intended for use for a limited period of time.
22. Wall: A sign painted on or attached to the wall of a building with the exposed face of the sign in a plane parallel to the plane of the wall.
23. Window: A sign painted, stenciled or affixed on a window.

#### Small Energy System

A small energy system is a renewable energy system designed to serve the energy needs of a single subject property. A small energy system is to be an accessory use of the property. A small energy system should not have the ability to generate more than 100kW per day.

1. Solar Energy System: A small solar energy system is any solar collector or other solar device, or any structural design feature, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, for water heating or for electricity. The small solar energy system may be mounted on a building or on the ground, and is not the primary use of the property.
2. Wind Energy System: A small wind energy system consists of a wind turbine, a tower, and associated controls or conversion electronics, which has a rated capacity of not more than 100kW and which is intended to primarily reduce on-site consumption of utility power. The purpose of a small wind energy system is to be an accessory use of the property.

Solar Energy

Solar energy means radiant energy (direct, diffuse, and/or reflective) received from the sun.

Solar Energy, Dual Purpose

Dual purpose solar energy is solar energy collected to create energy from structures that are generally permitted. Examples are fences, walls or roofs. Included uses would be exterior lighting for patios or walkways. Dual purpose structures should look primarily like fences, walls, or roofs and should blend into the landscape. The appearance of the structure should be commonly recognizable with the production of electricity interwoven or embedded into the structure, not to dominate the appearance.

Standard Temperature and Pressure (STP):

A standard set of conditions for measurement. STP is set by industry standards authorities and allows uniform comparisons between sets of data.

Story:

That part of a building between the surface of a floor and the ceiling immediately above.

Story, Half:

Any top story whose floor area exclusive of storage space is 75% or less of the floor area immediately below.

Stream:

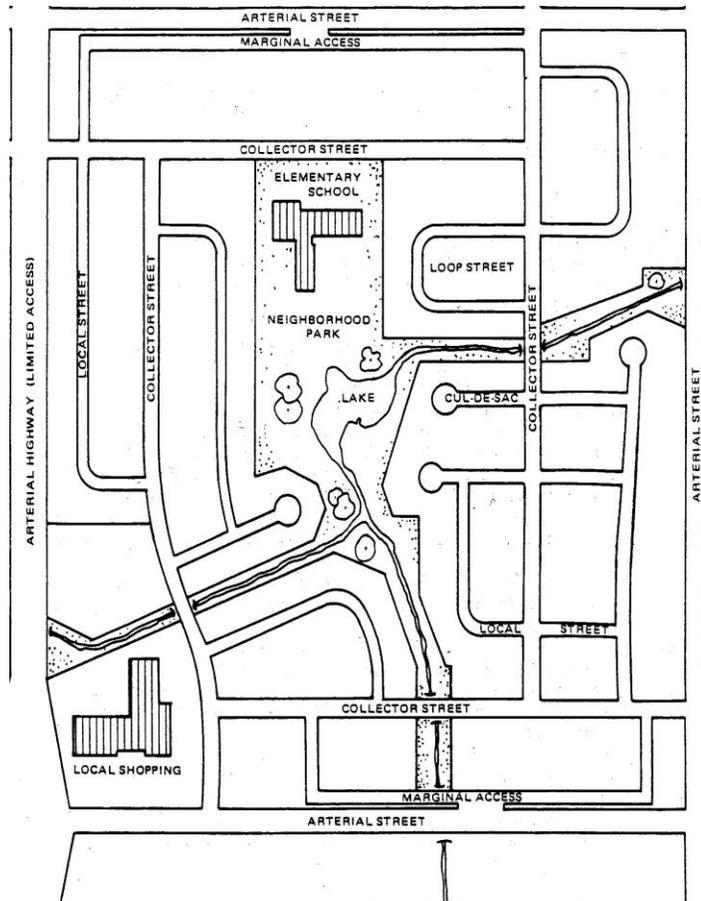
1. Bank: The ordinary high water mark of the stream or river, otherwise known as the bankfull stage of the stream or river channel. Indicators used in determining the bankfull stage may include changes in vegetation, slope or bank materials, evidence of scouring, and stain lines. (RRNOSO)
2. Intermittent: Channels that naturally carry water part of the year and are dry the other part.
3. Perennial: A natural waterway that contains water throughout the year except in severe drought.

Street or Road:

A thoroughfare. A street or road shall comply with all applicable requirements of this Resolution and the Portage County Subdivision Regulations when applicable:

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route.

3. **Collector Street:** A thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
4. **Cul-de-sac:** A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. **Dead-end Street:** A street having only one (1) outlet for vehicular traffic.
6. **Local Street:** A street primarily for providing access to residential or other abutting property.
7. **Loop Street:** A street intended to serve as direct or indirect access to residential lots, which begins and terminates on the same street or highway, but not at the same location.
8. **Marginal Access Street:** A local or collector street parallel and adjacent to an arterial or collector street providing access to abutting properties and protection from arterial or collector streets traffic.
9. **Private Street:**  
A local private way which provides vehicular access to residential structures that is not and will not be dedicated to public use, but which is owned and maintained by an association.
10. **Public Street:** A thoroughfare dedicated and accepted by the County, Township or Village, which provides access to abutting property.



**Classification of the Thoroughfare System**

**Structure:**

Anything man-made or natural, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include roads, buildings, walls, fences, and signs.

Subdivision (ORC 711.001B):

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll into two or more parcels, sites or lots, any one of which is less than five (5) acres, for the purpose, whether immediate or future, of transfer of ownership, provided that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted, or:
2. The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street, except a private street serving industrial structures; or the division or allocation of land as open space for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other facilities.

Swimming Pool

An in-ground or above-ground structure, chamber or tank containing water for swimming, diving or wading.

1. Commercial/Private Club: A pool as defined above constructed by an association of property owners or by a private club or association for use and enjoyment by members and their families.
2. Family: A pool as defined above used exclusively by the residents and their nonpaying guests of the dwelling unit.

Temporary Building:

A building constructed or placed for a limited stipulated time.

Temporary, Seasonal Tent:

A portable lodge of canvas, strong cloth, or synthetic material stretched and sustained by poles, or any similar portable lodge designed for temporary recreational use.

Temporary Shelter:

A building operated under the full time supervision of a nonprofit agency in which emergency lodging and meals are provided for a short period of time, generally not more than thirty (30) days.

Temporary Use:

A use established for a short period of time with the intent that such use will terminate automatically upon expiration of the fixed time period.

Through Lot:

(See Lot Types)

Tower:

A building or structure that is relatively high for its length and width, either standing alone or

forming a part of another building. The purpose of said tower is the reception and/or transmission of audio, video, cellular, and like signals, including power generation.

Towing Business:

A business engaged in the moving of disabled or wrecked vehicles, enforcement towing and providing emergency road service.

Tract:

A single, individually taxed parcel of land appearing on the tax list.

Transient Vendor:

Any person who leases titled motor vehicles, titled water craft or titled outboard motors or in the usual course of business transports inventory, stocks of goods or similar tangible personal property to a temporary place of business in an area in which he has no fixed place of business, for the purpose of making retail sales of such property or goods.

Transitional Use:

A permitted use or structure that by nature or level and scale of activity acts as a transition or buffer between two or more incompatible uses.

Transportation, Director:

The Director of the Ohio Department of Transportation.

Truck Terminal:

Land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another. The terminal cannot be used for permanent or long term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

Use:

The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Utility:

Any closely regulated agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other similar services. (For the purpose of the Resolution, wireless telecommunication services shall not be considered public utilities and are defined separately.)

Variance:

A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the regulations would result in practical difficulty or undue hardship.

Veterinary Animal Hospital or Clinic:

A place used for the care, grooming, diagnosis and treatment of sick, ailing, infirmed or injured animals, and those who are in need of medical or surgical attention; may include overnight accommodations on the premises for the treatment, observation and/or recuperation of treated animals. It may also include boarding that is incidental to the primary activity.

Vicinity Map:

A drawing located on a plat, plan or other document which sets forth by dimensions, labels, symbols and other graphic elements, the relationship of the proposed site, subdivision or development to other nearby developments, landmarks or community facilities and services in the general area in order to better locate and orient the area of interest.

Viewshed or View Shed:

A notable area that can be seen from the point at which one inspects. (RRNOSO)

View Shed, Scenic:

An area which has unique and pleasing views that are determined to be desirable to maintain in their present condition.

Walkway:

A public way four (4) or more feet in width for pedestrian use only which may or may not be located within the street right-of-way. (RRNOSO)

Warehouse:

A building used primarily for the storage of goods and materials.

Warehousing and Distribution:

A use engaged in storage, wholesale, and distribution of manufactured products, supplies and equipment, but excluding bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions.

Waters of the Township:

All streams, ditches, lakes, ponds, marshes, watercourses, waterways, wells, springs, drainage systems and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through or border upon the township or any portion thereof.

Wetlands:

An area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The three criteria that must exist on a site for an area to be designated a wetland are hydric soils, hydrophytic vegetation, and wetland hydrology.

Wind Energy Turbine

A wind energy turbine is mechanical equipment which is used to convert the kinetic energy of the wind through the rotation of the mechanical equipment to facilitate the generation of electricity.

Wireless Telecommunication:

1. Facility: A staffed or unstaffed commercial facility for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or groups of antennas, transmission cables and equipment enclosures, and may include an antenna support structure. The following non-exclusive list shall be considered a wireless telecommunications facility: new and existing antenna support structures, replacement antenna support structures, collocations on existing antenna support structures, attached wireless telecommunications facilities and concealed wireless telecommunications facilities.
2. Services: Licensed wireless telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging and similar services that are marketed to the general public.
3. Tower: Any structure including supporting lines, cables, wires, braces and masts intended primarily for the purpose of supporting one (1) or more antenna or similar apparatus.
  - a. Multi-user: A tower to which is attached the antennas of more than one (1) wireless telecommunication service provider or government entity.
  - b. Single user: A tower to which is attached only the antenna of a single user, although the tower may be designed to accommodate the antenna of multiple users as indicated in the Resolution.

Yard:

Any open space located on the same lot as a building that is unoccupied and unobstructed from the ground up except for accessory buildings or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the nearest point of the foundation wall of the main building.

1. Front: A yard extending between side lot lines across the front of a lot and from the front lot line or road right-of-way to the front of the principal building.
2. Rear: A yard extending between side lot lines across the rear of the lot and from the rear lot line to the rear of the principal building.
3. Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Zoning Certificate:

A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures and the characteristics of the uses.

Zoning Inspector:

The person designated by the Mantua Township Trustees to perform the task of zoning enforcement.

Zoning Map:

The official zoning district map which shows the boundaries of districts within Mantua Township.

