

CHAPTER 102

DEFINITIONS

102.01 Interpretation

102.02 Definitions

CROSS REFERENCES

Ch. 101 General Provisions

102.01 INTERPRETATION

Except where specifically defined herein, all words used in this resolution shall carry customary meanings. Words used in the present tense include the future tense; the plural includes the singular and the singular includes the plural; words denoting masculine gender shall be deemed to include the feminine and neuter genders; a general term following specific enumeration of terms is not to be limited to the class enumerated unless expressly stated to be so; the word "lot" includes the words "parcel" and "plot"; the word "building" includes the word "structure"; the word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement; the words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied"; and the word "person" includes a "firm, association, organization, partnership, trust, company, or corporation" as well as an "individual."

Words not particularly defined herein shall be defined as found in The Illustrated Book of Development Definitions, Center for Urban Policy Research, Rutgers University. If not defined therein, words shall be defined as found in Webster's New Universal Unabridged Dictionary.

102.02 DEFINITIONS

ACCESS DRIVE means a way or means of approach to provide physical entrance to a property, as in driveway or curb cut.

ACCESSORY USE OR STRUCTURE means a use of land or of a structure or portion thereof customarily incidental and subordinate to the principal use of the land or structure and located on the same lot with such principal use.

ADULT BOOK STORE means an establishment deriving a majority of its gross income from the sale or rental of, or having a majority of its stock in trade in, books, magazines or other periodicals, films or mechanical or non-mechanical devices which constitute adult materials.

ADULT MATERIAL means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing or any service capable of arousing interest through sight, sound or touch and:

1. Which material is distinguished or characterized by an emphasis on matter displaying, describing or representing sexual activity, masturbation, sexual excitement, nudity, bestiality or human bodily functions of elimination; or
2. Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality or human bodily functions of elimination.

ADULT MOTION PICTURE THEATER means an enclosed motion picture theater or motion picture drive-in theater used for presentation and deriving a major of its gross income from adult material for observation by patrons therein.

ADULTS ONLY ENTERTAINMENT ESTABLISHMENT means an establishment which features services which constitute adult material, or which features exhibitions of persons totally nude or topless, bottomless, strippers, male or female impersonators or similar entertainment which constitute adult material.

AGRICULTURE means farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry.

ALLEY or LANE means a public or private way not more than thirty feet wide affording only secondary means of access to abutting property.

ALTERATION means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

ANIMAL HOSPITAL means a place which animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

ATTENTION GETTING DEVICE means a device designed or intended to attract by noise, sudden intermittent or rhythmic movement, physical change or lighting change, such as banners, flags, streamers, balloons, propellers, whirligigs, search lights, and flashing lights.

ATTIC means that part of a building which is immediately below and wholly or partly within the roof framing.

AUTOMOBILE means a self-propelled free moving vehicle, with four or more wheels, primarily for conveyance on a street or roadway.

1. AUTOMOBILE RENTALS means the use of any building, land area or other premises for the display and rental of new or used automobiles or trucks.
2. AUTOMOBILE REPAIR SERVICES AND GARAGES means establishments primarily engaged in furnishing automobile repair services to the general public.
3. AUTOMOBILE SALES or TRAILER SALES means the use of any building, land area or other premises for the display and sale of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and where no warranty repair work and other repair service is conducted.
4. AUTOMOBILE SERVICE STATION means any building, land area or premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar services.
5. AUTOMOBILE WASH and AUTOMATIC CAR WASH means any building or premises or portions thereof where mechanical devices are used for washing automobiles.

AUTO-RELATED USED means a use that provides a service or is directly related to the use of a vehicle, such as a drive-thru business.

BANNER means any sign of lightweight fabric or similar material that is mounted to a pole or a building by a frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

BASEMENT means a space having one-half or more of its floor-to ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of not less than six and one-half feet.

BEACON means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zoning district lot as the light source; also, any light with one or more beams that rotate or move.

BEDROOM means a private room planned and intended for sleeping, separable from other rooms by a door, and accessible to a bathroom without crossing another bedroom or living room.

BERM means an earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

BOARDING HOME means a for-profit or nonprofit boarding home, rest home, or other home for the sheltered care of adult persons which, in addition to providing food and shelter to six (6) or more persons unrelated to the proprietor, also provides any personal care or service for orphans, foster children, the elderly, and battered persons.

BORROW PIT means a pit adjacent to a fill or embankment from which material is taken for the purpose of making the fill or constructing and maintaining that embankment.

BOTTOMLESS means less than full opaque covering of male or female genitals, pubic area or buttocks.

BUFFER means a combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen incompatible land uses from each other.

BUFFER STRIP means a land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances.

BUILDABLE AREA means the area of a lot remaining after the minimum yard and open space requirements of the zoning ordinance have been met.

BUILDING means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

1. BUILDING, ACCESSORY means a subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use.
2. BUILDING COVERAGE means the horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on a lot.
3. BUILDING HEIGHT means the vertical distance measured from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.
4. BUILDING LINE means a line parallel to the street line as established per Section 203.07 of the Resolution text.
5. BUILDING, PRINCIPAL means a building in which is conducted the principal use of the lot on which it is located.

CARPORT means a roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than three sides.

CARRY-OUT RESTAURANT means an establishment which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of prepared ready-to-eat foods intended primarily to be consumed off the premises, and where the consumption of food in motor vehicles on the premises is not permitted or not encouraged.

CELLULAR TELEPHONE COMMUNICATION SERVICES means a form of one-way or two-way mobile radio telephone service called "cellular" and permitted by the Federal Communications Commission.

CELLULAR TELEPHONE TOWERS means a tower or similar structure erected for the purposes and/or used for transmitting cellular telephone communication services.

CEMETERY means property used for the interring of the dead.

CENSUS TRACT means areas into which communities are divided by the U.S. Department of Commerce, Bureau of the Census, for statistical purposes.

CHIMNEY means a structure lesser in function than a smoke stack and containing one or more flues for drawing off emissions from stationary sources of combustion.

CHURCH or HOUSE OF WORSHIP or RELIGIOUS USE means a building or structure or groups

of buildings or structures which by design and construction are primarily intended for the conduct of organized religious services and accessory uses associated therewith.

CLUSTER means a development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

COMMERCIAL USE means any activity carried out for pecuniary gain.

COMMUNITY ASSOCIATION, CIVIC ASSOCIATION or HOMEOWNERS ASSOCIATION means an association organized to own, maintain, and operate common facilities and to enhance and protect their common interests.

COMMUNITY NFIP ADMINISTRATOR means the person, persons, agency, or other local government entity responsible for the administration and enforcement of the National Flood Insurance Program in compliance with Federal Law 44 CFR Parts 59 and 60.

CONDOMINIUM means a building or group of buildings in which units are owned individually and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

1. CONDOMINIUM ASSOCIATION means the community association which administers and maintains the common property and common elements of a condominium.

CONVENIENCE FOOD MARKET means a retail establishment offering for sale limited food, beverage and related consumer products with or without on-premises preparation of food and beverages.

CRAWL SPACE means a space with more than one-half of its floor-to ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of less than six and one-half feet.

CUSTOMARY AGRICULTURAL OPERATIONS see "Agriculture."

DAY CARE CENTER means a private establishment enrolling children and where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed or approved to operate as a day care center.

DECIDUOUS means a plant with foliage that is shed annually.

DECORATIVE FEATURES means any approved natural or constructed feature, including mulch, gravel, stone, brick, sculpture, and lighting.

DENSITY means the number of dwelling units per unit of land. To determine density divide the total number of dwelling units by the net developable site as measured in acres (See definition of "net developable site").

DRIVE-IN RESTAURANT means a building or portion thereof where food and/or beverages are sold in a form ready for consumption and where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the building, often in a motor vehicle on the site.

DRIVE-IN USE means an establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

DWELLING means a structure or portion thereof in which a person or persons reside.

1. DWELLING, ATTACHED means a one-family dwelling attached to one or more one-family dwellings by common vertical walls.
2. DWELLING, DETACHED means a dwelling which is not attached to any other dwelling by any means.
3. DWELLING, MULTI-FAMILY means a dwelling containing more than two dwelling units.
4. DWELLING, SEMIDETACHED means a one-family dwelling attached to one other one-family dwelling by a common vertical wall, and each dwelling located on a separate lot.
5. DWELLING, TOWNHOUSE means a one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.

6. DWELLING, TWO-FAMILY means a structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except when provided a common stairwell exterior to both dwelling units.
7. DWELLING UNIT means one or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.
8. DWELLING UNIT, EFFICIENCY means a dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

EASEMENT means a grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity.

1. EASEMENT, CONSERVATION means an easement the purpose of which is to limit development in order to preserve a unique natural area or habitat.
2. EASEMENT, SCENIC means an easement the purpose of which is to limit development in order to preserve a view or scenic area.

ELDERLY CARE means congregate housing providing shelter and services for the elderly which may include meals, housekeeping, and personal care assistance.

EQUAL DEGREE OF ENCROACHMENT means an equal reduction of conveyance on both sides of the stream for flood flows.

EVERGREEN means a plant that does not shed its leaves or needles.

EXCAVATION means the removal or recovery by any means whatsoever of soil, rock, mineral substances, or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.

EXTENDED CARE FACILITY means a long-term care facility or a distinct part of a facility licensed or approved as a nursing home, infirmary unit of a home for the aged or a governmental medical institution.

EXTENSION means a physical expansion of an existing structure.

FACTORY-BUILT HOUSE means a dwelling unit that is constructed and assembled at a factory and transported to the building's site and placed on a prebuilt foundation.

FAMILY means one or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption or marriage, a single dwelling unit shall not contain more than five (5) persons, but further provided that domestic servants may be employed on the premises without being counted as a part thereof.

FARM means a parcel of land used for agricultural purposes (see Agriculture).

FARM ANIMALS means those animals or livestock typically associated with a farm or agricultural operation.

FARM STAND means a booth or stall located on a farm from which produce and farm products are sold to the general public.

FAST-FOOD RESTAURANT means an establishment whose principal business is the sale of pre prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off-premises.

FENCE and WALL means any structure composed of wood, metal, stone, brick, or other material erected in such a manner and position as to enclose, partially enclose, or divide any premises or any part of any premises.

FILTER STRIP means a strip of land typically 50 feet in width, planted with grasses and heavier vegetation, located along a tributary to filter sedimentation and chemicals from stormwater runoff.

FLAG means any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of government, political subdivision, or other entity.

FLOOD means a temporary rise in stream flow or stage that results in inundation of the areas adjacent to the channel.

FLOOD FREQUENCY means the average frequency, statistically determined, for which it is

expected that a specific flood stage or discharge may be equaled or exceeded, which is expressed as having a probability of occurring once within a specific number of years.

FLOODPLAIN means the areas adjoining a watercourse which are expected to be flooded as a result due to a severe combination of meteorological and hydrological conditions.

FLOOD PROOFING means a combination of structural provisions, changes or adjustments to properties and buildings subject to flooding, primarily for the reduction or elimination of flood damages or properties, water and sanitary facilities, buildings and their contents in a flood hazard area.

FLOODWAY means the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry and discharge the regional flood.

FLOODWAY FRINGE means that portion of the regulatory floodplain outside of the floodway.

FLOOR AREA, FINISHED means the sum of the gross horizontal area of all interior floors of a residential building that are finished and heated, excluding basements, breezeways, carports, garages, storage areas with only outside access, porches, and other unheated and/or unfinished areas attached to the dwelling.

FLOOR AREA, GROSS means the sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six feet.

FLOOR AREA, GROUND means the sum of the gross horizontal area of the ground floor of a residential building, excluding basements, breezeways, carports, garages, storage areas with only outside access, porches, and other unheated and/or unfinished areas attached to the dwelling.

FLOOR AREA, NET means the total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

GARAGE means a building or structure, or part thereof, used or intended to be used for the parking and storage of vehicles.

GLARE means the effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

HEDGE means a dense row of shrubs or low trees.

HOME OCCUPATION means any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit or within a building accessory to the primary structure, which shall be a dwelling.

INDUSTRIAL PARK means a large tract of land that has been planned, developed, and operated as an integrated facility for a number of individual uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

INOPERABLE VEHICLE means a vehicle, such as an automobile or truck, that is not mechanically operable.

INSTITUTIONAL USE means a nonprofit or quasi-public use or institution such as a church or similar house of worship, library, public or private school, hospital, or publicly- owned or operated building, structure or land used for public purpose.

JUNK means any scrap, waste, reclaimable material, debris or machinery, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition.

JUNK VEHICLE means a vehicle whenever any one or more of the following occur:

1. The vehicle is without a valid, current registration decal and/or license plate.
2. The vehicle is apparently inoperable.
3. The vehicle is without fully inflated tires and/or has any type of support under it.
4. The vehicle has a missing or shattered window or windshield.
5. The vehicle has an extensively damaged or missing door, motor, transmission, or other similarly major part.

JUNKYARD means any area, lot, land, parcel, building, or structure or part thereof used for the

storage, collection, processing, purchase, sale, or abandonment of wastepaper, rags, scrap metal, or other scrap or discarded goods, materials, machinery, or two or more junk vehicles or other type of junk.

KENNEL, COMMERCIAL means any building or buildings and/or land used, designed or arranged to facilitate the raising, breeding, boarding and grooming of such domesticated animals as dogs and cats for profit.

LANDSCAPING means any portion of a parcel of land that includes trees, shrubs, bushes, planting beds, hedges, mounds, or other natural or decorative material or feature.

LOT means a designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon as a unit.

1. **LOT, CORNER** means a lot abutting upon two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than 135 degrees.
2. **LOT COVERAGE** means the portion of the lot that is covered by buildings and structures, and excluding other impervious surfaces.
3. **LOT, DOUBLE FRONTAGE** means a lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

MINI-WAREHOUSE means a structure containing separate storage spaces of varying sizes leased or rented on an individual basis.

MOBILE HOME means a single-family dwelling to be moved by being built on a frame or chassis and further specifically designed and constructed so that wheels are, or may be attached for transportation on public streets or highways and designed without the need for a permanent foundation arriving at the site complete and ready for residential occupancy except for minor and incidental unpacking and assembly operations; location on wheels, jacks, blocks or other foundation, connection to facilities and the like.

If applicable, the following criteria may be used to define and identify a mobile home for purposes of this Resolution:

1. A single-family dwelling constructed between 1975 and June 14, 1976 may be defined as a mobile home if constructed in accordance with the standards of Ch. BB-77, Industrialized Units, and Mobile Homes of the Ohio Building Code.
2. A single-family dwelling constructed other than between 1975 and June 14, 1976 may be defined as a mobile home if constructed in accordance with the standards of the National Home Construction and Safety Standards Act--42 USC 5042 (6) and as hereinafter amended.

A single-family dwelling may be defined as a mobile home if constructed in accordance with standards of the National Home construction and Safety Standards Act--42 USC 5042 (6) and as hereinafter amended. A single-family dwelling may be defined as a mobile home if constructed in accordance with standards of the National Home Construction and Safety Standards Act--42 USC 5042(6) and as hereinafter amended; except those constructed between 1975 and June 14, 1976, which may be defined as mobile home if

constructed in accordance with the standards of Ch. BB-77, Industrialized Units and Mobile Home of the Ohio Building Code.

NET DEVELOPABLE SITE means the remainder of a parcel(s) of land following the subtraction of all areas designated for public and private streets and alleys, open bodies of water excluding streams, creeks and ditches, and all other dedicated right-of-ways.

NO-BUILD ZONE means an area or portion of a lot that is designated by deed and/or through appropriate zoning mechanisms not to contain any buildings, structures or other built improvement on a permanent basis.

NONCONFORMANCE means a situation wherein the lawful conditions existing prior to the adoption, revision or amendment of the zoning resolution fail by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.

1. NONCONFORMING LOT means a lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of the zoning resolution, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.
2. NONCONFORMING SIGN means any sign lawfully existing of the effective date of the zoning resolution, or an amendment thereof, which renders such sign nonconforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.
3. NONCONFORMING BUILDING OR STRUCTURE means a building or structure the size, dimensions or location of which was lawful prior to the adoption, revision or amendment to the zoning resolution, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.
4. NONCONFORMING USE means a use or activity which was lawful prior to the adoption, revision or amendment of the zoning resolution, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

NUDE (NUDITY) means the showing, representation, or deception of human male or female genitals, pubic area, or buttocks thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple or of covered male genitals in a discernible turgid state.

NURSING HOME means an extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

OBSTRUCTION means any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure or matter which is in, along, across or projecting into any channel, watercourse or regulatory flood hazard area which may impede, retard or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or which is placed where the water might carry the same downstream to the damage of life or property.

OFF-STREET PARKING SPACE means a temporary storage area for a motor vehicle that is directly accessible to an access aisle and which is not located on a dedicated street right-of-way.

ON-STREET PARKING SPACE means a temporary storage area for a motor vehicle which is located on a dedicated street right-of-way.

ONE-AND-A-HALF-STORY means a residential dwelling having a ground floor and a second floor equal to less than 100 percent of the finished floor area of the first floor, under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls (also known as "knee wall") are not more than five (5) feet above the floor of such story.

OPACITY means a degree of obscuration or decline of light or vision.

OPEN SPACE means any parcel or area of land or water, or portion thereof, essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space, and left in a natural state or improved for recreational purposes.

1. OPEN SPACE, COMMON means land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

OUTDOOR DISPLAY means the temporary outdoor display of material and merchandise for the purposes of retail sales.

OUTDOOR STORAGE means the keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place.

PARISH HOUSE means a residential structure, such as a parsonage, that is subordinate to a church or other place of worship and located on the same parcel(s).

PARK means a tract of land designated and designed for the use by members of the public for active and passive recreation.

PENNANT means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

PERSONAL SERVICES means establishments primarily engaging in providing services involving the care of a person or his or her apparel.

PLANNED DISTRICT means the Planned Residential District (PR), Planned Commercial District (PC), and the Planned Industrial District (PI).

PLAT means a map representing a tract of land, showing the boundaries and location of individual properties and streets. A map of a subdivision or site plan.

PRINCIPAL USE means the primary or predominant use of any lot.

PUBLIC USE means a use that is owned and/or operated by the public and is accessible to the public.

REACH means a hydraulic engineering term to describe a longitudinal segment of a stream or river within which flood heights are primarily controlled by man-made or natural obstruction or constrictions.

RECONSTRUCTION means the rebuilding or substantial remodeling of an existing structure.

RECREATION means the pursuit of leisure activities sometimes requiring equipment and taking place at prescribed places, sites, or fields.

RECREATIONAL AND CAMPING EQUIPMENT means boats, boat trailers, snowmobiles, snowmobile trailers, utility trailers, recreational and camping vehicles, horse trailers, and other similar equipment.

REGULATORY FLOOD PLAIN means a watercourse and the areas adjoining a watercourse which have been or hereafter may be covered by the Base Flood.

REGULATORY FLOOD PROTECTION ELEVATION means a point not less than one (1) foot above the water surface profile associated with the regional flood plus any increases in flood heights attributable to encroachments on the flood plain. It is the elevation to which uses regulated by the flood plain regulations are required to be elevated or flood proofed.

RESIDENTIAL DISTRICT means a zoning district in which residential uses are the dominant permitted uses.

RESIDENTIAL GROUP HOME means a facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group family household.

RESIDENTIAL ZONING DISTRICT OR USE means any Residentially Zoned District listed in Section 201.01 of this Resolution or any nonconforming residential subdivision, or any area where persons may reside.

RESTRICTIVE COVENANT means a restriction on the use of land usually set forth in the deed.

RETAIL SERVICES means establishments providing services or entertainment as opposed to products.

SATELLITE GROUND STATION means a ground station or other antenna, including dish antennas, designed to transmit or receive radio or television signals to or from earth satellites.

SCHOOL means any building or portion thereof which is designed, constructed or used for educational or instructional purposes in any branch of knowledge.

SCREEN means a method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls, trellises supporting vines, flowers, or other vegetation, or any appropriate combination thereof. Trellises or other structures supporting or for the purpose of supporting vines, flowers or other vegetation when erected in such a position as to enclose, partially enclose, or divide any premises or any part of any premises shall also be considered a "fence."

SETBACK means the distance between the street right-of-way line and the front line of a building or any projection thereof.

1. SETBACK LINE means that line that is a required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

SEXUAL ACTIVITY means sexual conduct or sexual contact, or both.

SEXUAL CONDUCT means vaginal intercourse between a male and a female, and anal intercourse, fellatio and cunnilingus between persons regardless of sex. Penetration, however slight is sufficient to complete vaginal or anal intercourse.

SEXUAL CONTACT means any touching of an erogenous zone of another, including without limitation, the thigh, genitals, buttocks, pubic region or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

SEXUAL EXCITEMENT means the condition of human male or female genitals, when in a state of sexual stimulation or arousal.

SHRUB means a multi-stemmed woody plant; may be deciduous or evergreen.

SIGN means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

1. SIGN, ANIMATED means any sign that uses movement or change of lighting to depict action or create a special effect or scene.
2. SIGN, BILLBOARD or OFF-PREMISES SIGN means a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.
3. SIGN, BULLETIN BOARD means a sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.
4. SIGN, CHANGEABLE COPY means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.
5. SIGN, FREESTANDING means a nonmovable sign supported by or from poles, posts, pillars, columns, uprights, braces, constructed base, or other structures on the ground and which are not affixed to a building.
6. SIGN, INCIDENTAL means a sign, generally informational, that has a purpose secondary to the use of the zoning district lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives and without a commercial message.
7. SIGN, PORTABLE means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported.
8. SIGN, PROJECTING means a sign that is wholly or partly dependent upon a building for support and which projects more than twelve (12) inches from such building.
9. SIGN, WALL means a sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.

SPLIT LEVEL means a residential dwelling containing finished floor area on two or more levels with not less than three (3) feet nor more than six (6) feet vertical distance between the plane of one floor level and the plane of the next higher level.

SUBSTANTIAL IMPROVEMENT means any repair, reconstruction, or improvement of a structure which involves altering or adding to fifty (50) percent or more to the existing structure or property or the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration affects of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not however include any project for improvement of a structure to comply with existing State or local health sanitary or safety code specifications which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historical Places or a State Inventory of Historic Places.

STORY means that portion of a building between the surface of any floor and the surface of the

floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.

STREET means any vehicular way which: (1) is an existing state, county, municipal or village roadway; or (2) is shown upon a plat approved pursuant to law; or (3) is approved by other official action; or (4) is shown on a plat duly filed and recorded in the office of the Franklin County Recorder; or (5) as shown on the Franklin County Thoroughfare Plan; and includes the improved land between the street lines.

1. **STREET, COLLECTOR** means a street which collects traffic from local streets and connects with minor and major arterials.
2. **STREET, LOCAL** means a street designed to provide vehicular access to abutting property and to discourage through traffic.
3. **STREET, MAJOR ARTERIAL** means a street with access control, channelized intersections, and restricted parking, and which collects and distributes traffic to and from minor arterials.
4. **STREET, MINOR ARTERIAL** means a street with access controls, and signals at important intersections and stop signs on the side streets, and which collects and distributes traffic to and from collector streets.

STRUCTURE means a combination of materials to form a construction for use, occupancy or ornamentation whether installed on, above or below the surface of land or water.

TOPLESS means the showing of a female breast with less than a full opaque covering of any portion thereof below the top to the nipple.

TRAILER means a structure standing on wheels, towed or hauled by another vehicle and used for short-term human occupancy, carrying materials, goods or objects, or as a temporary office.

TREE means a large, woody plant having one or several self-supporting stems or trunks and numerous branches. May be classified as deciduous or evergreen.

1. **TREE, CALIPER** means a measurement of the width of a tree trunk as measured six (6) inches from the top of the rootball if unplanted and from the ground if planted.
2. **TREE, LARGE** means any tree species having a trunk diameter of six (6) inches or more as measured six (6) inches from the ground.
3. **TREE, MEDIUM** means any tree species having a trunk diameter of three (3) to six (6) inches as measured six (6) inches from the ground.
4. **TREE, ORNAMENTAL** means a deciduous tree planted primarily for its ornamental value or for screening purposes; tends to be smaller at maturity than a shade tree.
5. **TREE, SHADE** means a deciduous tree, rarely an evergreen, planted primarily for its high crown of foliage or overhead canopy.
6. **TREE, SIGNIFICANT** means any individual tree that is of cultural, historical, biological, or horticultural value as determined by the Township Trustees with the advice of the Township Zoning Commission and any qualified experts.
7. **TREE, SMALL** means any tree species having a trunk diameter of less than three (3) inches as measured six (6) inches from the ground.

TWO-STORY means a residential dwelling having a ground floor and a second floor having a finished square footage equal to or exceeding one hundred (100) percent of the required minimum ground floor finished square footage.

USE means the purpose or activity for which land or buildings are designed, arranged or intended, or for which land or buildings are occupied or maintained.

VEHICLE means a device used for transportation.

1. **VEHICLE, MOTOR** means a self-propelled device used for transportation of people or goods over land surfaces and licensed as a motor vehicle.
2. **VEHICLE, RECREATIONAL** means vehicular-type structures primarily designed as temporary living quarters for recreation, camping or travel use which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered.

3. VEHICLE, COMMERCIAL means trucks having dual tires or one or more axles (excluding pick-up trucks with characteristics similar to those of a passenger car) designed for transportation of cargo and including tractor-trucks, trailers, and semi-trailers.

WATERCOURSE means a channel in which a flow of water occurs either continuously or intermittently in a definite direction. The term applies to either natural or artificially constructed channels.

WATER SURFACE PROFILE means a graph showing the relationship of water surface elevation to location, the latter generally expressed as distance above the mouth for a stream of water flowing in an open channel. It is generally drawn to show surface elevation for the crest of a specific flood but may be prepared for conditions at a given time or stage.

YARD means a required open space that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed by improvements from the ground upward except as may be specifically provided in the zoning resolution.

1. YARD, FRONT means a yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. YARD, REAR means a yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building. For corner lots the rear yard shall constitute that area of the lot that is adjacent to the rear portion of the principle structure.
3. YARD, SIDE means 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 means the dividing of the Township into districts and the establishment of regulations governing the use, placement, spacing, and size of land and buildings.

ZONING DISTRICT means a specifically delineated area or district in the Township within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

1. OVERLAY ZONING DISTRICT means a district that applies additional regulations, standards, and guidelines to properties located within existing (underlying) zoning districts.

