

## ARTICLE 2 - INTERPRETATION AND DEFINITIONS

### 2.00 General Word Usage

For the purpose of this Resolution, certain terms or words used herein shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The present tense includes the future tense, the singular number includes the plural and plural number includes the singular.

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" and "occupied" include the words "intended, designed or arranged to be used or occupied." The word "lot" includes the words "lot" or "parcel".

### 2.01 Definitions:

**Accessory Use or Structure:** A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use structure.

**Agriculture:** Agriculture includes farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, 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.

**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 taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open spaces.

**Alley:** See Thoroughfares.

**Automotive Repair:** The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.

**Automotive, Trailer, and Farm Implement Sales & Service:** The sale, rental or service of new and used motor vehicles, mobile homes, trailers or farm implements.

**Arterial Street:** See Thoroughfares.

**Basement:** The lowest story of a building having at least half (1/2) its height below the natural grade of the adjoining ground, measured at a distance of six (6) feet from the building face.

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

**Building, Accessory:** A subordinate building detached from, but located on the same lot as, the principal building, or use of which is incidental and accessory to that of the main building or use.

**Building, Principal:** A building in which is conducted the main or principal use of the lot on which said building is situated.

**Building Height:** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to be 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 Line:** See Setback Line.

**Business, General:** Commercial uses which generally require locations on or near major thoroughfares 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, foot wear, appliances and furniture; department stores; and discount stores.

**Business Services:** Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or business.

**Cemetery:** Land used, or intended to be used, for the burial of the human dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

**Clinic:** An establishment where patients who are not lodged overnight are admitted for examination and treatment and operated by a group of physicians practicing medicine together.

**Club:** A building or portion thereof or premises owned or operated by person(s) for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests.

**Cluster single-family attached unit:** one (1) of two (2) or more residential buildings, each having separate ground floor access, and separated from abutting housing units by a common wall free of openings, and which is designed and used exclusively by one family and separated from all other dwelling units by open 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.

**Cluster single-family detached unit:** A dwelling which is designed and used exclusively by one family and separated from all other dwelling units by open 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.

**Comprehensive Plan:** Plans made and adopted by the Lorain County Planning Commission and hereafter amended and supplemented indicating the general locations recommended for the principal streets, parks, public buildings, zoning districts, character and extent of community development and other physical aspects of urban and rural planning on file in the office of the Recorder of Lorain County, Ohio, and in the office of the Commission. It shall also include the Eaton Township Comprehensive Land Use Plan 2010.

**Conditional Use:** A use of buildings or land which, by the nature of the use, requires review by the Board of Zoning Appeals, as set forth in Article 16 in order to determine its effect upon adjacent existing uses.

**Conditional Use Permit:** A use permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow for any of the conditionally permitted uses as set forth in Article 16 of this Resolution. Also known as a Conditional Use Certificate.

**Corner Lot:** See Lot Types.

**Cul-de-Sac:** See Thoroughfares.

**Dead-End Street:** See Thoroughfares.

**Deck:** A platform usually constructed of wood attached to the house or constructed within several inches of the home used for access in and out of the home or recreational purposes.

**Density:** A unit of measurement indicating the number of dwelling units per acre of land. Unless otherwise stated, the term density refers to net density. Net density means the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses, and does not include street rights of way, retention/detention areas, flood plains, wetlands and parking lots.

**Developed Area:** The area of a property that is made up of structures, parking, driveways and loading facilities. The developed area of a lot does not include area within required setbacks or undeveloped or unimproved land left in a natural state.

**Disabled Vehicle:** Any vehicle meeting the following two (2) conditions:

- (A) Extensively damaged, such damage including, but not limited to, any of the following: A broken window or windshield, missing wheels, tires, motor or transmission.
- (B) Apparently inoperable as defined by the Ohio Revised Code as amended

**Dumpster:** A container used for the outside storage for disposal of refuse of any sort, whether the container is emptied on-site, or transported for disposal.

**Dwelling:** Any building or structure (except a house trailer or mobile home as defined by the Ohio Revised Code, Section 4501.01) which is wholly or partly used, or intended to be used, for living or sleeping by one (1) or more human occupants.

**Dwelling, Single-Family:** A building designed exclusively for and occupied exclusively by one family.

**Dwelling, Single-Family Attached:** one (1) of two (2) or more residential buildings, each having separate ground floor access, and which is both separated from abutting housing units by a common wall or party wall free of openings and is located on a parcel having a separate front, side and rear yard, except on the attached side/s. Attached single family dwellings are arranged on individual lots with one or two side walls on a side property line.

**Dwelling, Single-Family Detached:** A dwelling unit that is not attached to any other dwelling unit, and is located on a parcel having a front, side and rear yard. A single family detached dwelling also includes a permanently sited manufactured home,

**Dwelling Unit:** Space, within a dwelling, comprising living, dining and/or storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one (1) family and its household employees.

**Dwelling, 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 separate entrances or a combined entrance.

**Dwelling, Multiple-Family/Multi-Family:** A building consisting of three (3) or more dwelling units, including condominiums, with varying arrangements of entrances and party walls.

**Fee Simple:**

- (A) simple without limitation (as to heirs) and unrestricted (as to transfer of ownership):

(B) a fee that is alienable (as by deed, will or intestacy and of potentially indefinite Merriam-Webster's Dictionary of Law 1996)

**Financial Institution:** Those institutes engaged in receiving, exchanging, lending and safeguarding monies.

**Flood:** A general and temporary condition of partial or complete inundation of normally dry land areas.

(A) Base Flood: A flood having at least a one (1) percent chance of being equaled or exceeded in any given year.

(B) Flood Plain: Any land area susceptible to being inundated from any source.

(C) Floodway Fringe: That portion of the base flood plain located outside the regulatory floodway.

(D) Regional Flood Plain: The area inundated by the base flood. This is the flood plain area which shall be regulated by the standards and criteria of this Resolution.

(E) Regulatory Floodway: The channel of a river or the watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one-half (1/2) foot in measure.

**Floor Area of a Residential Dwelling:** The sum of the gross horizontal area of the several floors of a residential dwelling, excluding basement floor areas not devoted to residential use, but including the enclosed area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

**Floor Area of a Non-Residential Dwelling:** The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, fitting rooms and similar areas. To be used in calculating parking requirements.

**Fuel Marts:** A place of business that sells fuel and convenience items.

**Garage, Private:** A detached accessory building or portion of a principal building for the parking or temporary storage of automobiles, travel trailers and/or boats of the occupants of the premises, provided that not more than one (1) commercial vehicle per dwelling unit is parked or stored.

**Garage, Public:** A principal 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.

**Grade:** The slope of land, street or road, or any other public way, specified in percentage (%) terms.

**Grade, Natural:** The elevation of the undisturbed natural surface of the ground prior to any excavation, fill and/or compaction.

**Greenhouse:** A building or structure constructed chiefly of glass, glasslike or translucent material, cloth, metal framing, wood or lath, which is devoted to the protection or cultivation of flowers or other tender plants

**Highway, Major:** A street or road of considerable continuity and primarily as a traffic artery for intercommunication among large areas.

**Home –Based Business:** (See Residential Occupation) A business conducted within a residence that does not meet the definition of a Residential Occupation provided herein.

**Hotel or Motel:** A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or separate exterior entrances. As such, it is open to the public in contrast to a boarding house, a lodging house or an apartment which are herein separately defined.

**Institution:** Building and/or land designed to aid individuals in need of mental therapeutic, rehabilitative counseling or correctional services.

**Junk:** means old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, iron, steel, and other old or scrap ferrous or nonferrous materials. .

**Junk yard:** means an establishment or place of business that is maintained or operated for the purpose of storing, keeping, buying, or selling junk ORC 4737.05 (B) as amended.

**Kennel:** Any lot or premises on which three (3) or more dogs or cats more than three (3) months of age are housed for short period of time primarily indoors.

**Kennel, Boarding or Breeding:** Any kennel where pet animals owned by another person are boarded, or a premises where dogs, cats, or similar domestic animals are bred. Boarding or breeding kennels also include outdoor areas for exercise and/or training.

**Lattice Tower:** A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation.

**Loading Space:** A space within the main building or on the same lot therewith providing for the standing, loading or unloading of trucks and having a minimum dimension of twelve (12) feet wide by forty (40) feet long and vertical clearance of at least fourteen (14) feet.

**Local Street:** See Thoroughfare.

**Lot:** A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an approved dedicated public street and may consist of:

- (A) A single lot of record.
- (B) A portion of a lot of record.
- (C) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

**Lot Coverage:** The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

**Lot Frontage:** The front of a lot shall be construed to be that portion of the lot nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as required under the Zoning Resolution.

**Lot Measurements:** A lot shall be measured as follows:

- (A) The depth of a lot shall be considered to be the average horizontal distance between the front and rear lot lines.
- (B) The width of the lot shall be considered to be the horizontal distance between side lot lines, measured at the required front setback line, provided however, that the width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width when situated along a curved street or cul-de-sac type street.

**Lot, Minimum Area of:** The area of the lot which is computed exclusive of any portion of the right-of-way of any public street or private street. (11/20/04)

**Lot of Record:** A lot, whose existence, location, and dimensions have been legally recorded in a deed or on a plat, provided such lot is of a size that met the minimum dimensions for the district in which it was located at the time of recording. (11/20/04)

**Lot Types:** Terminology used in this Resolution with reference to corner lots, interior lots and through lots is as follows:

- (A) Corner Lot - A lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred, thirty-five (135) degrees.
- (B) Interior Lot - A lot other than a corner lot with only one (1) frontage on a street.
- (C) 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 a double frontage lot.

**Major Thoroughfare Plan:** The plan adopted by the Lorain County Planning Commission indicating the general location recommended for arterial, collector and local thoroughfares within the unincorporated areas.

**Maintenance and Storage Facilities:** Land, buildings and structures devoted primarily to the maintenance and storage of construction equipment and material.

**Manufactured Home:** A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974", 88 Stat. 700, 5401, 5403 and that has permanent label or tag affixed to it, as specified in 5415, certifying compliance with all applicable federal construction and safety standards.

**Manufactured Home, Permanently Sited:** A manufactured home affixed to a permanent foundation (permanent masonry, concrete, or a footing or foundation) and connected to appropriate facilities. The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point, and a total living area, excluding garages, porches or attachments, of at least twelve hundred square feet. The structure also has minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhand, including appropriate guttering, and was manufactured after January 1, 1995.

**Manufacturing, Heavy:** Manufacturing, processing, assembling, storing, testing and similar industrial uses which are generally major operations and extensive in character requiring large sites, open storage and service areas, extensive services and facilities with ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution and water pollution, but not beyond the District boundary.

**Manufacturing, Light:** Manufacturing or other industrial uses which are usually controlled operations, relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust, operating and storing within enclosed structures and generating little industrial traffic and nuisances.

**Manufacturing, Extractions:** Any mining, quarrying, excavating processing, storing, separating, cleaning or marketing of any mineral or natural resource.

**Mineral Extraction, Storage and Processing:** See Manufacturing, Extractions.

**Monopole:** A support structure constructed of a single, self supporting hollow metal tube securely anchored to a foundation.

**More Restrictive:** In reference to a nonconforming use, the changing of a use to more nearly conform to the permitted use, thus increasing the requirements such as side yards, etc., or generally increasing compatibility of a non-conforming use to the requirements of the District in which it is located.

**Nonconformities:** A building, structure or use of land existing at the time of enactment of this Resolution, and which does not conform to the regulations of the District or zone in which it is situated.

**Nursery, Nursing Home:** A home or facility for the care and/or treatment of babies, children, pensioners, disabled or elderly people.

**Office:** A room, set of rooms or building where the business of a commercial or industrial organization or of a professional person is transacted.

**Opacity:** In fences, hedges and walls, the percentage of the construction or plant material opaque to light when viewed perpendicularly to it. In fences and walls, all supports and panels shall be included in the calculation of opacity. In hedges, the calculation of opacity shall be made on the basis of the estimated percentage of opaque plant material at maturity, and in full leaf.

**Open Spaces:** 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 environment features, water areas, swimming pools, tennis courts and any other recreational facilities that the Zoning Commission deems permissible. Streets, parking areas, structures for habitation and the like shall not be included.

**Owner:** Includes, but is not limited to, any person owning a fee simple, life estate or a buyer on a land installment contract.

**Parking Space, Off-Street:** An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, no part of which is in the street, alley or road right-of-way.

**Party Wall:** A wall erected between two individually owned properties, for the use of both owners.

**Patio:** A paved space for dining or recreation, adjacent to a building.

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

**Personal Wireless Service:** A broad range of spectrum-based services including commercial mobile services such as personal communications services (PCS), cellular radio mobile services and paging services.

**Pet Cemeteries:** A Certified and Licensed Pet Cemetery, intended to be used for the burial of animals including crematories and mausoleums if operated in connection with and within the boundaries of such cemetery.

**Place of Worship:** A building used primarily for the purpose of worship by a legally established nonprofit religion, sect, or denomination.

**Plot Plan:** Plans drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building/s or alterations. The plans shall include final grade and drainage flow.

**Pond: Aquaculture/Agriculture Ponds:** A pond constructed on-farm for watering livestock, raising fish/bait or other agricultural purposes. Agricultural ponds are not subject to zoning.

**Pond: Decorative Ponds, Landscape Pools, Water Gardens:** A man-made water impoundment generally less than 1/4 acre in size and less than eight feet deep will have a liner and pumps. Generally landscaped with plant materials for decorative purposes.

**Pond: Golf Course Commercial Ponds:** A man-made body of water generally greater than 1/4 acre and eight feet deep. Used for recreation and/or landscaping purposes. In areas of commercial/industrial development and public/private golf courses.

**Pond: Retention/Detention Basin:** A dry or wet basin constructed for flood control purposes, usually in subdivisions or on

commercial/industrial property. No size/depth restriction.

**Pond: Wetlands:** A natural or constructed body of water generally less than six feet deep with no minimum/maximum size, made by constructing a dam, excavating a pit or destroying a drainage system. Constructed wetlands shall be placed in areas that are conducive to wildlife (A minimum of 500 feet from a residence).

**Porch:** A covered entrance to a building, usually with a roof that is held up by posts. An open or enclosed room on the outside of a building.

**Portable Storage Container:** A portable, enclosed receptacle, without its own wheels, designed and used for the temporary storage or shipment of household items, commercial items, and building materials.

**Private Street:** Any non-dedicated street or road, which provides access to any structure or lot.

**Professional Activities:** The use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects, engineers and similar professions.

**Public Improvements:** Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree planting, grading or lawn seeding, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

**Public Service Facility:** 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 service.

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

**Public Way:** An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, tunnel, viaduct, walk, bicycle path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

**Recreation Camp:** An area of land on which two (2) or more travel trailers, campers, tents or other similar temporary recreational structures are regularly accommodated, with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

**Recreational Facilities, Non-Commercial:** Private and semi-public recreational facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses, game preserves, hunting and trapping, and other private non-commercial recreation areas and facilities or recreation centers including private community swimming pools.

**Recreational Vehicle:** A vehicle, regardless of its size, which was not designed to be used as a permanent dwelling, and in which the plumbing, heating, electrical and air conditioning systems included within the structure may be operated without connection to outside utilities and which are self-propelled or towed by a light duty vehicle for use as a temporary dwelling for travel, recreation and vacation use such as travel trailers, folding tent trailers, pickup campers and motorized homes, and for the purpose of this Resolution, it must carry a current vehicle license as required by law.

**Residential Occupation:** An accessory use of a dwelling unit for gainful employment involving the manufacture, provision or sale of goods and/or services.

(A) Business activity is conducted by a member(s) of the family residing on the premises with no more than one (1) employee.

(B) No equipment or processes are involved that cause a nuisance to neighbors such as noise, vibration, glare, fumes, odors or

electrical interference.

**Right-of-Way:** A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges.

**Road:** See Thoroughfare.

**Roadside Stand:** A temporary structure designed or used for the display or sale of agricultural and related products.

**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.

**Semi-Public Use:** Churches, Sunday schools, parochial schools, colleges, hospitals and other structures of an educational, religious, charitable or philanthropic nature.

**Service Station:** Any building, structure or land used for the dispensing sale or offering for sale at retail of any automobile fuels, oils or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work or spray painting.

**Setback line:** A line parallel to, or concentric to, the street right-of-way line and at a distance there from equal to the required depth of the front yard for each District and extending across the full width of the lot. Where the right-of-way line is not established, the right-of-way width shall be assumed to be sixty (60) feet, and the right-of-way line shall be assumed to be the outer edge of that right-of-way. Where a major thoroughfare or collector thoroughfare is designated on the Land Use and Thoroughfare Plan, the setback line shall be measured from the proposed right-of-way line.

**Setback Line, Building:** A line indicating the required minimum horizontal distance between the building line and the related front, side or rear property line.

**Sewers, Central or Group:** An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

**Sewers, Individual:** A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

**Sexually Oriented Business:** An adult arcade, adult bookstore, adult cabaret, adult entertainment establishment, adult motion picture theater, adult novelty store, adult theater, adult video store, sexual device shop, sexual encounter center, and sexual encounter establishment, but does not include a business solely by reason of its showing, selling, or renting materials that may depict sex. "adult bookstore," "adult cabaret," "adult motion picture theater," "adult video store," "characterized by," "nude," "nudity," "state of nudity," "seminude," "state of semi nudity," "sexual device," "sexual device shop," "sexual encounter center," "specified anatomical areas," and "specified sexual activity" have the same meanings as in Section 2907.40 of the Ohio Revised Code. "Adult arcade," "adult entertainment," "adult entertainment establishment," "adult novelty store," "adult theater," "distinguished or characterized by their emphasis upon," "nude or seminude model studio," "regularly features," "regularly shown," and "sexual encounter establishment" have the same meanings as in Section 2907.39 of the Revised Code.

**Shade Tree:** A tree in a public place, road right-of-way or special easement as provided for in these Regulations.

**Sidewalk:** That portion of the road right-of-way outside the paved roadbed, which is paved for pedestrian traffic.

**Sign:** any display, figure, painting, drawing, placard, poster or other device visible from a public way which is designed, intended or used to convey a message, advertise, inform or direct attention to a building, person, institution, organization, activity, place,

object or product. It may be a structure or part thereof, painted on or attached directly or indirectly to a structure.

**Sign face:** A sign face is the portion of a sign on which the sign copy is printed; the sign face does not include any supports or structural members. If the sign consists of individual letters, the sign face is the smallest rectangle or triangle completely bounding the letters.

**Stable, Private:** A building for the feeding and lodging of domesticated animals, especially having stalls for horses.

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

**Street:** See Thoroughfare.

**Structure:** Anything constructed or erected, 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 buildings, walls, fences and billboards.

**Swimming Pool:** A pool of water for swimming; especially a tank specifically built for that purpose containing at least one and one-half (1½) feet of water at any point.

- (A) Private - Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development, or a community, the members and guests of a club, or the patrons of a motel or hotel, and accessory use.
- (B) Community - Operated with a charge for admission; a primary use.

**Thoroughfare, Street or Road:** The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

- (A) Alley - A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
- (B) Arterial Street - A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
- (C) 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.
- (D) Cul-de-Sac: A local street with one (1) end open to traffic and the other terminating in a vehicular turn-around. Cul-de-Sacs shall be provided at the closed end with a turnaround having a street pavement line diameter of at least one hundred twenty (120) feet. The street right-of-way lines and the one-hundred twenty (120) feet diameter with additional fifteen (15) feet for the road right-of-way. Entire Cul-de-Sac area shall be constructed and meet the same requirements of the street it is on.
- (E) Dead-End Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
- (F) Local Street: A street primarily for providing access to residential or other abutting property.
- (G) Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degrees system of turns are not more than one thousand (1,000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.

**Technically Suitable:** The location of a wireless telecommunication antenna(s) reasonably serves the purpose for which it is intended within the band width of frequencies for which the owner or operator of the antenna(s) has been licensed by the FCC to operate without a significant loss of communication capability within development areas of the Township.

**Telecommunications:** The technology which enables information to be exchanged through the transmission of voice, video, or data signals by means of electrical or magnetic systems.

**Trailer, Small Utility:** Any trailer drawn by a motor vehicle, used for occasional transport of personal effects.

**Two-Family Residence:** A building containing exactly two (2) independent dwelling units, and which one or more common walls or floors separate, including the walls of attached garages.

**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.

**Variance:** Approval by the Board of Zoning Appeals to deviate from the literal zoning standards in accordance with the provisions of this Zoning Resolution.

**Veterinary Animal Hospital or Clinic:** A place used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals, and those which are in need of medical or surgical attention, and may include overnight accommodations on the premises for their treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

**Warehouse:** Any building or structure used for the storage of goods, raw or finished materials.

**Wind Farm, Small:** A small wind farm means wind turbines and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than five megawatts.

**Wind Turbine Energy System:** A wind energy conversion system consisting of a wind energy turbine, a tower, and associated control and conversion electronics, which is intended to primarily reduce on-site consumption of utility power.

**Wireless Telecommunications Antenna:** The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

**Wireless Telecommunication Accessory Buildings:** The structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.

**Wireless Telecommunications Facility:** A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land based telephone lines.

**Wireless Telecommunications Tower:** Any structure which elevates the wireless communication antenna and may include accessory transmission and receiving equipment.

**Wrecking Yard:** Any place where damaged, inoperable, or obsolete machinery such as cars, trucks and trailers, or parts thereof, are stored, bought, sold, accumulated, exchanged, disassembled, or handled.

**Yard:** An open space other than a court unoccupied and unobstructed by any principal structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; except that accessories, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility. Required Yards are illustrated in Table 202.

- (A) Yard, Front – A yard extending between side lot lines across the front of a lot and from the road-right-of-way to the front of the principal building.
- (B) Yard, Corner Side – A yard extending between the line of the front of the principal building to the rear lot line and from the side street road right-of-way to the side of the principal building.
- (C) Yard, Rear – A yard extending between the building and the rear lot line, and outside of any corner side yard.
- (D) Yard, Side – A yard extending between the lines of the front and rear of the principal building and from the side lot line to the side of the principal building.

**Zoning Inspector:** The person designated by the Board of Trustees to enforce the Zoning Resolution.

**Zoning Permit:** The document issued by the Zoning Inspector authorizing the use of land or buildings. Also known as a Zoning Certificate.

ARTICLE 2- INTERPRETATION AND DEFINITONS