

## DEFINITIONS

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of the Resolution.

Words used throughout this Resolution in the present tense shall include the future tense; the singular number shall include plural, and the plural the singular; the word "building" shall include the word "structure," the word "used" shall include "arranged," "designed," "constructed," "altered," "converted," "rented," "leased," or "intended to be used;" the word "day" shall include "calendar day;" and the word "shall" is mandatory and not directory; and the word "may" is permissive.

**ABANDONED:** to cease or discontinue a use or activity without intent to resume within a reasonable period of time, but excluding temporary or short term interruption to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

**ABUTTING RESIDENTIAL:** a having a common border with a residentially zoned district or a residentially used property.

**ACCESS EASEMENT:** an easement created for the purpose of providing vehicular or pedestrian access to a property.

**ACCESS MANAGEMENT:** process of providing and managing access to land development while preserving the flow of traffic in terms of safety, capacity, and speed.

**ACCESSORY DWELLING UNIT (ADU):** subordinate to a single family dwelling unit and located within a single family dwelling (attached design) or within an accessory structure (detached design).

**ACCESSORY STRUCTURE:** detached subordinate structure located on the same lot, the use which is clearly incidental to the principal building.

**ACCESSORY USE:** a use customarily incidental and subordinate or secondary to the principal use or building and located on the same lot as the principal use or building.

**ACRE:** a land area of 43,560 square feet.

**AGRICULTURE:** the use of the land for farming, ranching, dairying, aquaculture, apiculture, horticulture, viticulture, animal husbandry, including, but is not limited to, the care and raising of livestock, equine and other fur-bearing livestock, poultry husbandry and the production of poultry or poultry products or dairy production. It also includes the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs and trees, flowers, sod, mushrooms, timber, pasturage, or any combination of the foregoing. The processing, drying, storing, or marketing of agricultural products when activities are conducted in conjunction with, but secondary to, such husbandry or production; agriculture shall not include kennels.

**AIRPORT, AIRCRAFT LANDING FIELD:** any landing area, runway, or other facility designed, used, or intended to be used, either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxi-ways, aircraft storage, tie down areas, hangars, and other necessary buildings and open spaces.

**ALL TERRAIN VEHICLE (ATV):** any motorized, off-road vehicle for recreational uses. See *also off-road vehicle*.

**ALLEY:** a public or private way permanently reserved as a secondary means of access to an abutting property.

**ALTERATION, STRUCTURAL:** any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, or girders; a change or modification to an existing building or structure which does not increase the exterior dimensions with respect to height and area.

**ALTERATION:** a change or modification to an existing structure.

**ANIMAL CARE FACILITY:** structure, building, or enclosure used for medical treatment, including the care and temporary housing of animals.

**APARTMENT:** a dwelling unit used exclusively for lease or rent as a residence.

**ASSISTED LIVING FACILITY:** see **RESIDENTIAL CARE FACILITY**

**ATTORNEY:** Lucas County Prosecutor or Township Legal Counsel.

**AUCTION FACILITY:** land or structure used by an auctioneer for public sale of items to the highest bidder.

**AUTOMOTIVE REPAIR:** the repairing, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting or steam cleaning of vehicles.

**AUTOMOBILE SERVICE STATION:** see **GAS STATION**.

**AUTOMOBILE SALES AREA, TRAILER SALES AREA:** open area other than a street used to display new or used automobiles or trailers for sale and where no repair work is done except minor repair of automobiles or trailers displayed and sold on the premises.

**AUTOMOBILE WRECKING:** dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

**AUTOMOBILE WRECKING YARD:** see **SALVAGE YARD**

**BALCONY:** enclosed platform with a railing projecting from the outer wall of a building.

**BANK:** where money is deposited, kept, loaned, or exchanged.

**BANQUET HALL:** facility or portion of a building available for lease by private parties for social events in which food and beverages may be catered or prepared and served on the premises.

**BASEMENT:** a story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story where one-half (1/2) its height is above average level of the adjoining ground.

**BED AND BREAKFAST INN:** a residence or portion of a residence where short term lodging rooms and meals are provided and where the operator lives on the premises or in adjacent premises.

**BLIGHT:** unsightly condition including the accumulation of debris, litter, rubbish, or rubble; fences 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 regardless of the condition of other properties in the area.

**BOARD OF TOWNSHIP TRUSTEES:** the Board of Township Trustees for Sylvania Township, Lucas County, Ohio.

**BOARDING HOUSE:** building or portion thereof, other than a hotel, where meals or lodging and meals for five (5) or more persons are provided as compensation.

**BOAT, BOAT TRAILERS:** shall include boats, floats and rafts, plus the normal equipment to transport same on the highway.

**BUFFER:** landscaped and/or screened area intended to separate adjacent land uses or properties from one another.

**BUILDING:** structure having a roof supported by columns or walls; used for the shelter or enclosure of persons, animals, or property.

**BUILDING, FRONT LINE OF:** the line of the face of the building nearest the front line of the property. This face includes covered porches, whether enclosed or not enclosed, but does not include steps.

**BUILDING, MAIN:** the building on a lot in which the principal use is being conducted in.

**BUILDINGS, GROUP:** two or more buildings, other than dwellings, grouped on a lot held under one ownership, such as universities, hospitals and institutions.

**BUILDING ENVELOPE:** the area of a lot remaining after the minimum front, side, and rear setback requirements have been met.

**BUILDING HEIGHT:** vertical distance measured from the adjoining curb grade to the highest point of the roof surface if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for gable, hip, or gambrel roof, provided that where the buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

**BUSINESS SERVICE:** any activity conducted for gain which renders services primarily to other commercial or industrial enterprises; such service may include, but not be limited to, copy shops, printing services, package service, photo processing, janitorial services, or such service that repairs appliances or machines in homes or business.

**BZA:** The Sylvania Township Board of Zoning Appeals.

**CARETAKER:** one who is employed to maintain, repair, and protect a facility or property.

**CARETAKERS RESIDENCE:** a dwelling unit on the site occupied by a caretaker or guard.

**COLLECTOR VEHICLE:** any motor vehicle or agricultural tractor or traction engine that is of special interest, has a fair market value of one hundred dollars or more, whether operable or not, and that is owned, operated, collected, preserved, restored, maintained, or used essentially as a collector's item, leisure pursuit, or investment so long as it is stored within an enclosed building, and not as the owner's principal means of transportation.

**COMMERCIAL, GENERAL:** uses that require locations on major thoroughfares including motels, automotive service stations, motor vehicle repair, restaurants, drive-in establishments, automotive and farm sales and service, building trades and services, commercial recreation and similar commercial activities; retail and service establishments that cater to the community for convenience goods and services; establishments offering comparative type shopping facilities including, but not limited to, supermarkets, stores, or stores grouped by design into a unified shopping center for the sale of drugs, hardware, appliances, furniture, apparel, footwear, business and personal services, professional services, offices, or other similar activity.

**COMMERCIAL VEHICLE:** any motor vehicle that has motor power and is designed and used for a commercial purpose or for carrying merchandise or freight.

**CORNER-SITE SET-BACK:** isosceles triangle with two-30 foot sides extending from a point of intersection of the street corner right-of-way lines (property lines).

**CHURCH:** see **PLACE OF WORSHIP.**

**CLINIC:** establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together or professionals licensed to practice the healing arts.

**CLUB:** building or portion thereof, or premises owned or operated by a corporation, association, person or persons for social, educational or recreational purposes, but not primarily for profit or to render a service, which is customarily carried on as a business.

**CLUBHOUSE:** for social, educational, and recreational activities of a community or neighborhood, provided any such use is not operated for commercial gain.

**COMMISSION (ZC):** the Sylvania Township Zoning Commission Board.

**COMMON AREA:** parcel or parcels of land or an area of water or a combination of land and water within a development, which is designed and intended for the common use or enjoyment of the residents of the development; may include gracious structures and improvements as are necessary and appropriate.

**COMMUNITY BUILDING:** see **CLUBHOUSE**

**CONDITIONAL USE:** a use which is subject to conditional approval by the Board of Zoning Appeals only when there is a specific provision for such use or exception made in this resolution; and not considered to be a nonconforming use.

**CONDO, CONDOMINIUM:** building or group of buildings in which units are owned individually, and where the structure, common areas and facilities are owned by all

the owners on a proportional, undivided basis.

**CONSERVATION AREA:** area set aside for the preservation, protection and/or improvement of the natural environment.

**CONSTRUCTION EQUIPMENT:** see **UTILITY EQUIPMENT**

**COUNTRY CLUB:** a private club and establishment typically associated with a golf course for social and recreational gatherings for members and their guests.

**CROSS ACCESS:** a service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

**CURB CUT:** the providing of vehicular ingress and/or egress between a property and an abutting public street.

**CURB GRADE:** The elevation at the top of the curb adjacent to a parcel; for uncurbed roadways, curb grade shall be the elevation at the center of the pavement.

**DAY CARE FACILITY:** a licensed place which administers to the needs of children or adults and providing social, recreational, or educational activities on a daily basis.

**DEBRIS:** discarded scrap or waste material collected or accumulated; litter; scattered remains.

**DENSITY:** the number of dwelling units per net acre of land.

**DETENTION AREA:** an area designed to capture specific quantities of storm water and to gradually release the storm water at a sufficiently slow rate to avert flooding; may drain completely after a storm event.

**DISABLED VEHICLE:** apparently inoperable which has been damaged or extensively damaged, including but not limited to any of the following: missing wheels, tires, engine or transmission; in a wrecked, dismantled, or worn out condition, or unfit for operation (§4513.65 ORC); an unlicensed vehicle.

**DISTRIBUTION CENTER:** a use where goods are received and/or stored for delivery to the ultimate customer at remote locations; also wholesale or warehouse facility.

**DORMITORY:** a building or part of a building operated by an institution and containing a room or rooms forming one or more habitable units which are used or intended to be used by residents of the institution for living or sleeping, but not for cooking or eating purposes.

**DRIVE-THROUGH OR DRIVE-UP WINDOW SERVICE:** an opening in the wall of a building or structure designed and intended to be used to provide for sales and/or service to patrons who remain in their vehicles. See *Section 2915*.

**DRIVEWAY:** vehicular access for ingress/egress to a principal structure or accessory structure.

**DUPLEX:** a building containing two dwelling units each of which has an independent entrance either directly or through a common vestibule.

**DWELLING:** building or portion thereof used exclusively for residential purposes, including one-family, two-family and multiple family dwellings. The term "dwelling" shall not include mobile home, recreational vehicle, hotel, boarding and lodging house.

**DWELLING UNIT:** one or more rooms in a dwelling, apartment hotel, or in a commercial building for which a special residential conditional use has been approved, designed for occupancy by (1) family for living purposes and having cooking facilities.

**DWELLING, MULTI-FAMILY:** building or portion thereof, designed for occupancy by three (3) or more families living independently of each other.

**DWELLING, ROW HOUSE:** row of three (3) to six (6) attached one-family dwellings, not more than two (2) rooms deep.

**DWELLING, SINGLE-FAMILY:** building designed exclusively for occupancy by one (1) family.

**DWELLING, TWO-FAMILY:** building designed exclusively for occupancy by (2) families living independently of each other, including a duplex, which is a dwelling unit above another dwelling unit, or a semi-detached dwelling or twinplex, which is a dwelling unit beside another dwelling unit.

**EASEMENT:** a grant by a property owner to the use of land by the public, a corporation, or persons for the construction and maintenance of utilities, drainage ways and roadways.

**EASEMENT, ACCESS:** an easement created for the purpose of providing vehicular or pedestrian access to a property.

**EDUCATIONAL INSTITUTION:** a public, parochial, or private facility that provides educational instruction to students; recognized and prescribed by the State Board of Education.

**EGRESS:** an exit.

**ENTERTAINMENT FACILITY:** a building, structure or lot used or intended to be used for the purpose of nightclubs, cinemas, theaters, athletic fields, carnivals, and similar entertainment activities; does not include adult entertainment.

**ESSENTIAL SERVICE:** the erection, construction, alteration, or maintenance by municipal or other governmental agencies, public utilities, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities, municipal or other governmental agencies, or for the public health, safety or general welfare, but not including buildings.

**EXCEPTION:** a case not conforming to the rules of the Township; a ruling by the BZA that permits a use or an activity that is not normally allowed within the Zoning Resolution.

**EXTRACTION INDUSTRY:** removal of soil, sand, gravel or minerals from land or water for purposes of resale or use in the commercial operation of a business or the production of a good or service.

**FACADE:** the entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building.

**FAMILY:** one (1) or more persons occupying a premise and living as a single unit, whether or not related to each other by birth or marriage; as distinguished from persons occupying a boarding house, lodging or hotel herein defined. The definition shall also include: a) group of persons with disabilities, meaning persons who are considered handicapped or disabled as those terms are defined either by the Fair Housing Act or the Americans with Disabilities Act, who need not be related by blood, marriage or adoption, living together as a single housekeeping unit, and b) a foster home, as defined in § 2151 of the ORC.

**FARM ANIMAL:** any animal that customarily is raised for profit on farms and has the potential of causing a nuisance if not properly maintained

**FARM SALES AND SERVICE:** use of land, buildings or structures for the sale or rental of farm tools and implements, feed, grain, tack, animal care products, and farm supplies, or repair of equipment and machinery directly associated with the operation of the agricultural industry.

**FENCE:** any artificially constructed barrier of any material or combination of materials installed to enclose or screen areas; means of protection, privacy, a boundary or confinement.

**FENCING, OPEN:** an enclosure through which clear vision is possible from one side to the other for 75 percent or more of the structure, as viewed on a horizontal plane; may include split rail, wire, chain link, open mesh and the like.

**FENCING, PRIVACY:** an enclosure constructed of solid material through which no visual images can be seen; may include wood, masonry, stone, and the like.

**FINANCIAL INSTITUTION:** where money is deposited, kept, loaned, or exchanged.

**FLOOR AREA:** interior floor area of a structure including stairways, halls and closets but not including basement, porches, garages, breezeways or carports.

**FLOOR AREA, GROSS:** the sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls. Gross floor area shall exclude uninhabitable basements, unfinished attics, attached garages, or space used for off-street parking or loading, breezeways, and enclosed and unenclosed porches, and accessory structures.

**FOOD PROCESSING:** the preparation or processing of food products; examples of activities include bakeries and dairies.

**FORESTRY:** the growing and care of trees for commercial purposes, including the cutting and marketing of timber art of developing, maintaining, and managing forests.

**FRONTAGE, BUILDING:** length of an outside building wall on the side of the right-of-way.

**FRONTAGE, LOT:** length of the property line of a parcel along a public right-of-way to which it borders; part of any property that abuts a street or at the intersection of streets; the front part of a piece of property.

**FUNERAL HOME:** a building or part thereof, used for human funeral services; such building may contain space and facilities for: a) embalming and the performance of other services used in preparation of the dead for burial, or b) the performance of autopsies and other surgical procedures, or c) the storage of caskets, funeral urns, and other related funeral supplies, or d) the storage of funeral vehicles, but shall not; where a funeral home is permitted, a funeral chapel shall also be permitted.

**GARAGE:** a detached accessory building or portion of a main building which shall be totally enclosed for the parking or temporary storage of automobiles by the occupants of the premises.

**GARAGE, PUBLIC PARKING:** a structure or portion of a building in which vehicles, under arrangement with the patrons, are intended to house, rent or lease such parking space and accommodation, and in which no repair work is carried on.

**GARAGE SALE:** the sale of personal property, conducted on the premises in a Residential District to which there is a dwelling.

**GAS STATION:** any premises used for supplying retail gasoline and oil directly to the customer, including minor accessories and services for automobiles.

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

**GRAIN ELEVATOR:** a facility designed to store and market any type of grain.

**GRANDFATHERED:** describes the status accorded to certain properties, uses, and activities that existed legally prior to the date of adoption of the Zoning Resolution.

**GREEN SPACE:** open space

**GREENHOUSE:** a building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the growing of flowers, plants, shrubs, trees and similar vegetation.

**GROSS PARCEL ACREAGE:** the amount of land described on deeds of record minus all rights-of-way.

**HIGHWAY, MAJOR:** street or road of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.

**HOME OCCUPATION:** an occupation carried on by the occupant of a dwelling, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes; does not change the external character of the dwelling or accessory structure; does not produce a sound that is audible beyond the dwelling or accessory structure; does not involve the employment of any person other than the resident of such dwelling and does not involve direct sale of commodities/services on the premises.

**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 operations.

**HOTEL:** a building in which lodging or meals and lodging are offered for temporary living accommodations to the general public for compensation and in which ingress and egress to and from the rooms are made primarily through an inside lobby or office and limited corridor access. The hotel may contain such accessory services and facilities as newsstands, personal grooming facilities or restaurants.

**IMPERVIOUS SURFACE:** any material, such as concrete, asphalt, brick or metal, which impedes the percolation of water into the ground.

**INDUSTRIAL, LIGHT:** research and development activities; the manufacture, predominantly from previously prepared materials, of finished products/parts, including processing, fabrication, assembly, treatment, packaging of products, and incidental storage, sales, and distribution of such products; any manufacturing, industrial production or storage, which by the nature of the materials, equipment and processes utilized are generally conducted within an enclosed building; if outside storage is required, such storage is conducted within a well maintained enclosure which obscures the storage area from general public view; shall include the manufacturing of dairy, canned fruit and vegetable, bakery, soft drink and confectionery products; textile mill products and apparel; lumber, wood products, furniture and fixtures; plastic products; perfumes and cosmetics; fabricated products from metal coils and sheets, the rolling and finishing of ferrous and nonferrous metals; screw machine products, bolts, nuts, screws, and washers; cutlery, hand tools and general hardware; electrical machinery, equipment and supplies; radio and television sets; electronic components and accessories; and products of similar nature.

**INDUSTRIAL, HEAVY:** any industrial use, which requires buildings and open areas, for manufacturing, fabricating, processing, heavy repair, dismantling, storage or disposal of raw materials, manufactured products or wastes, which is not injurious to health or safety of humans or animals; shall include primary metal industrial operations involving the use of blast furnaces, the rolling and finishing of ferrous and nonferrous metals, iron and steel foundries, primary and secondary smelting and refining facilities, metal plate and sheet fabricating facilities and any other operations which shall be deemed to be of a similar nature. Heavy manufacturing shall also include the manufacture of food and meat products; paper and allied products; chemicals and allied products, including plastic materials, synthetic rubber and man made fibers, soaps and detergents, paints and agricultural chemicals; petroleum refining and related industries, including production of paving and roofing materials, tire products, stone, clay and glass products and any other products of a similar nature.

**INDUSTRIAL, RESTRICTED:** any industrial use which is conducted entirely within enclosed, substantially constructed buildings; involving the use of only light machinery and equipment; does not use the open area about the buildings for the storage of materials or equipment other than for the unloading or loading operations at the rear or within an enclosure which abuts a building. Restricted manufacturing shall include the manufacture of drugs, jewelry, musical instruments, sporting goods; the processing and assembly of small glass products; small household appliances; small electronic products, scientific instruments, and parts for the production of finished equipment; office, computing and accounting machines; research and laboratory testing; printing, publishing and engraving plants; and other similar products and

operations.

**INDUSTRIALIZED UNIT:** a building unit or assembly of closed construction fabricated in an off-site facility, that requires transportation to the site of intended use and that is substantially self-sufficient as a unit or as part of a greater structure; includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity; does not include a manufactured home or a mobile home as defined in this resolution. For the purpose of this resolution, an industrialized unit is a dwelling.

**INGRESS:** access, entry point, or entrance.

**INSTITUTION:** building or land occupied by a nonprofit corporation or a nonprofit establishment for public use.

**JUNK MOTOR VEHICLE:** see **DISABLED VEHICLE**.

**KENNEL:** an establishment licensed to operate a facility for the housing of domestic or exotic animals/pets and where grooming, breeding, boarding, training or selling of animals is conducted as a business, but exclusive of animals used for agricultural purposes.

**KENNEL, PRIVATE:** any lot, building or premise on which four (4) or more domestic or exotic pets, being more than (4) four months of age, are kept and may belong to the owner of the principal use for the purpose of show, hunting or as pets.

**LAND USE PLAN:** a basic element of a comprehensive plan; it designates the future use or reuse of the land and the policies and rezoning used at arriving at the decisions in the plan; serves as a guide to official decisions regarding the distribution and intensity of private development; as adopted and amended by the Lucas County Plan Commission, Lucas County Commissioners, and Sylvania Township Trustees and in accordance with the Ohio Revised Code.

**LANDSCAPE BUSINESS:** deals with planting trees, ground cover, shrubs or other vegetation; may include pedestrian walks, flower beds, ornamental objects such as fountains, statuary or other similar natural and artificial objects designed and arranged to produce an aesthetically pleasing effect; also may include the care and tending of lawns, gardens, and the like at other locations.

**LICENSED VEHICLE:** any motor vehicle that displays current, valid license tags issued under ORC § 4503.45 or substantially equivalent provisions in the laws of other states.

**LIVESTOCK:** generally accepted outdoor farm animals (i.e., cows, goats, horses, pigs, barnyard fowl, etc.) not to include cats, dogs, and other house pets.

**LOADING SPACE:** an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle for loading or unloading merchandise or materials, and which abuts upon a street or other appropriate means of access.

**LOT:** the total square footage as computed, within the lot lines of a lot, exclusive of any portion of any rights-of-way.

**LOT, CORNER:** lot having continuous street frontage along two or more different streets.

**LOT, INSIDE OR INTERIOR:** a lot other than a corner lot.

**LOT, REVERSED CORNER:** a corner lot, the side street line of which is substantially a continuation of the front lot line of the lot to its rear.

**LOT, THROUGH:** an interior lot having frontage on two (2) or more streets.

**LOT AREA:** the total area as computed in square feet, within the lot lines of a lot, exclusive of any portion of any rights-of-way.

**LOT COVERAGE:** the percent of the lot area covered by buildings, accessory structures, parking areas and driveways, but excluding pedestrian access/walkways.

**LOT DEPTH:** the horizontal distance between the front and the farthest most point to the rear of the lot, measured along the median between the two side lot lines.

**LOT LINES:** the lines bounding a lot as defined herein.

**LOT OF RECORD:** any lot, which individually or part of a subdivision that has been registered and recorded in the Office of the Recorder of Deeds for the County;  
*also see* **NONCONFORMING LOT.**

**LOT WIDTH:** horizontal distance of the lot between the established side property lines measured at the established building setback. The width of lots fronting on a cul-de-sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard.

**MANSARD ROOF:** an extension of an exterior wall or roof projection of a building that is architecturally integrated into the building design.

**MANUFACTURED HOME:** building unit or assembly of closed construction, 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," and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards; shall meet all of the following criteria: a) affixed to a permanent foundation and connected to appropriate facilities; b) structure having a width of at least twenty-two feet (22) at one point, a length of at least twenty-two feet (22) at one point, and a total living area of at least 900 square feet, excluding garages, porches, additions, or other attachments; c) structure having a minimum 3:12 roof pitch, conventional residential siding, and six inch (6) minimum eave overhang, including appropriate guttering; d) structure was manufactured after January 1, 1995; and e) structure not located in a Manufactured Home Park District as defined in this Resolution. *see* **MOBILE HOME**

**MANUFACTURING:** any production or industrial process, including food processing, which combines one or more raw materials or components into a product, or which changes the nature of the materials entering the process.

**MANUFACTURING, GENERAL:** *see* **INDUSTRIAL, LIGHT.**

**MANUFACTURING, HEAVY:** *see* **INDUSTRIAL, HEAVY.**

**MANUFACTURING, RESTRICTED:** see **INDUSTRIAL, RESTRICTED.**

**MARKET, OPEN AIR/ OPEN SALES LOT:** a place where individual vendors operate from stalls, booths, or other defined areas offering retail sale of food, clothing, furniture, arts & crafts, second hand items, plants, flowers, and other products or merchandise of similar nature. A Zoning Permit is required, as well as written permission from property owner on which the sales take place.

**MASSAGE ESTABLISHMENT:** any fixed place of business where a person offers massages and which is operated by anyone other than persons who are certified to practice under ORC § 4731.15 and 473.16 or who are engaged in the practice of providing therapeutic massage as a licensed physician, chiropractor, podiatrist, nurse, or other health professional licensed, certified or registered to practice in Ohio.

**METAL SALVAGING AND STORAGE:** the recycling of all forms metal for sale and storage.

**MINERAL EXTRACTION AND STORAGE:** the mining, quarrying or storage of coal, limestone, clay or other mineral resources except sand and gravel.

**MINERAL PROCESSING:** the processing of coal, limestone, clay or other mineral resources except sand and gravel, provided no chemical change in the mineral is involved in the process.

**MIXED USE DEVELOPMENT:** a tract of land or building(s) or structure(s) developed for two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment.

**MOBILE HOME:** a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length or, when erected on site, is three hundred twenty (320) or more square feet, is built on a permanent chassis, is transportable in one or more sections, and *does not qualify as a manufactured home* or as an industrialized unit as defined in this Resolution.

**MODULAR HOME:** any dwelling that is designed in more than one unit and is designed to be made mobile on a temporary basis, and constructed or manufactured to provide a permanent residence; but does not include a mobile home or recreational vehicle.

**MORTUARY:** see **FUNERAL HOME**

**MOTEL:** a group of attached or detached dwellings in which lodging is provided for the general public, and where access to rooms are from the outside of the main building.

**MOTOR HOME:** a portable dwelling designed and constructed as an integral part of a self-propelled vehicle for travel, recreational or vacation use.

**NEIGHBORHOOD BUSINESS:** neighborhood commercial retail and service establishments which primarily serve local market areas and can be located in close proximity to or within Residential Districts without creating undue vehicular congestion, excessive noise or other objectionable influence; to prevent congestion, local retail and service uses include only those enterprises which normally employ less than 10 persons. Permitted uses include drug stores, beauty salons, barber shops, carry-outs, dry cleaning, laundry pickup facilities, hardware stores, grocery stores and the like *if less than 10,000 square feet in floor area.* Other small businesses of an equally restricted

and local nature may be permitted, based on the discretion of the BZA.

**NONCONFORMING LOT, OLD LOT OF RECORD:** a lot or parcel of land that was of record and lawfully established and maintained but which, because of the enactment of this code, no longer conforms to the land-use standards or use regulations of the district in which it is located.

**NONCONFORMING BUILDING:** a structure or building, the size dimensions, or location of that was lawful prior to the adoption of, revision, or amendment to this code, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the Zoning District.

**NONCOMPLYING:** a lot, building or structure that does not fulfill the requirements of the Zoning District in which it is located.

**NOXIOUS:** when used with reference to any use/activity in respect of any land, building or structure or a use/activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason or destructive gas or fumes, dust, objectionable odor, noise or vibration or unsightly storage of goods, wares, merchandise, debris, machine parts, junk, waste or other material; a condition which prejudices the character of the surrounding area and that may or may not interfere with normal enjoyment.

**NUISANCE:** junk, garbage, refuse, debris, disabled vehicle, or noxious vegetation; is offensive to the senses, violates laws of decency or obstructs reasonable and comfortable use of one's property; may cause injury to the property of another, and/or endanger life and health.

**NURSERY:** a place where plants are raised for sale, grown for transplanting, or for use as stocks for budding and grafting; woody and herbaceous plants, including ornamental trees, shrubs, and bulb crops are produced; most plants are ornamental, but may include fruit plants and certain perennial vegetables used in home gardens.

**NURSING HOME:** an establishment where persons are housed or lodged, furnished with meals, and having nursing or convalescent care for hire. *see also* **RESIDENTIAL CARE FACILITY**

**OFFICE:** a building or part thereof, designed and used for business or professional activities; or for the carrying out of a business; shall not include retail use or industrial use.

**ORC:** Ohio Revised Code

**OPEN SPACE:** the open, unobstructed space on a lot including space accessible to all occupants of any residential or commercial building or structure on the lot, which is suitable and used for the growth and maintenance of grass, flowers, bushes and other landscape and may include any surface pedestrian walk or complimentary structures, but does not include any driveway, ramp or parking area.

**OVERLAY DISTRICT:** an additional secondary zoning classification, which establishes

specific regulations on the use of land, buildings, or structures. *See Article 24.*

**PARKING GARAGE, PUBLIC:** a structure or portion of a building intended to house, rent or lease such parking spaces for vehicles under an arrangement with the proprietor.

**PARKING SPACE:** private or public parking area for the unobstructed parking of one (1) automobile.

**PERMANENT FOUNDATION:** permanent masonry, concrete, or locally approved footing or foundation, to which a manufactured or mobile home may be affixed.

**PERSONAL SERVICES:** any enterprise conducted for gain, which primarily offers services to the public, such as shoe or watch repair, barber shop, beauty parlor or similar activities.

**PLACE:** private thoroughfare, other than a street or alley, permanently reserved as a lot on a recorded plat as the principal means of access to an abutting property, approved under applicable subdivision regulations by the Toledo-Lucas County Plan Commissions where applicable in accordance with ORC Chapters 711 and 713.

**PLACE OF WORSHIP:** a building or property used principally for religious worship, not to include group homes, schools and not used for a permanent or temporary dwelling; church or religious institution.

**PLANNED UNIT DEVELOPMENT, PUD:** a development, which is planned to integrate residential, commercial, industrial, or any other use (ORC § 519.021).

**PLANT CULTIVATION:** outdoor cultivation of crops, fruit trees, nursery stock (greenhouses), truck garden products and similar plant materials; not including plant cultivation conducted on residential properties for the primary benefit of the resident family.

**POND:** body of water naturally made or artificially formed by excavation, and having an area of less than five acres. (*Storm water detention basins are not considered ponds.*)

**PRIVATE PARKING LOT:** an open area, other than a street or alley, used by the occupants of a dwelling for the parking of their automobiles.

**PROFESSIONAL ACTIVITIES:** use of offices and related spaces for such professional services as provided by doctors, dentists, lawyers, architects, and engineers, or other such activities.

**PROSECUTOR:** The Prosecutor of Lucas County, Ohio.

**PUBLIC PARKING LOT:** an open area, street or alley used for the temporary parking of vehicles and available for public or quasi-public use.

**PUBLIC SERVICE FACILITY:** erection, construction, alteration, operation or maintenance of a

utility or service building, power plant, substation, water treatment plant, sewage disposal, pumping facility or similar public service structures by a public utility, a public or privately owned railroad, or by a municipal or other governmental agency, including furnishing electric, gas, rail transport, communication, public water, and sewer services.

**PUBLIC SEWER AND PUBLIC WATER:** any system, other than a septic tank or individual well, operated by a municipality for the disposal of wastes and the furnishing of water, or either, to residential, industrial and/or commercial users.

**PUBLIC USE:** public parks, schools, administrative buildings, cultural or service buildings.

**RECREATION FACILITY, COMMERCIAL:** open to the public, established and operated for a profit, such as swimming pools, ice skating rinks, riding stables, campgrounds, race tracks, amusement parks, carnivals or similar commercial enterprises.

**RECREATION FACILITY, NON-COMMERCIAL:** private and semi-public; are not operated for commercial gain, including riding clubs, game preserves, campgrounds, hunting and trapping, private community swimming pools, or other private noncommercial recreation areas, facilities or recreation centers; may be leased to outside groups or organizations provided the fee for such purposes is limited to incidental maintenance and custodial expenses.

**RECREATIONAL VEHICLE:** a vehicle designed for recreational purposes and equipped with wheels to facilitate movement from place to place; an automobile or other vehicle that might be used for living or sleeping purposes that may include a pick-up camper, motor home, boat, travel trailer, and camping trailer and not meeting the specifications required for a manufactured home or mobile home.

**RESEARCH FACILITY:** research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, or sale of products. Such uses shall not violate any odor, dust, smoke, gas, noise, radiation, vibration, or similar pollution standard.

**RESIDENTIAL CARE FACILITY:** includes Assisted Living Facility, Nursing Home, Rest Home, Adult Day Care, Group Home, or any other similar institution.

**RESTAURANT:** an establishment in a building where food and beverages are offered for sale to the public for consumption at tables or counters, either inside or outside the building on a lot.

**RETAIL SALES:** a commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser; such establishments may include, but not be limited to, supermarket, grocery store, bakery, candy store, butcher, delicatessen, convenience store, and similar establishments.

**RETENTION AREA:** a storm water facility that is designed to accept runoff from a developed site and discharge it at a limited rate. Flows exceeding the limited rate are stored/retained until the storm water level drops below the limited rate.

**RIGHT-OF-WAY, R/W, ROW:** a strip of land that is occupied or intended to be occupied by

a street, crosswalk, utility, or other special use; the line determining the street or highway public limit or ownership

**ROADSIDE STAND:** where products are grown *and* sold on the same premises at retail prices from covered or uncovered open-air market areas.

**ROOMING HOUSE:** a building or portion thereof other than a hotel, where lodging for five (5) or more persons is provided for compensation; a house where lodgers can rent rooms.

**ROW HOUSE:** see **TOWNHOUSE**.

**SALVAGE YARD:** any place where two (2) or more inoperable motor vehicles, or parts thereof are stored in an open fenced in area or partially enclosed building and not being restored to operation; any land used for wrecking or storage of such motor vehicles, farm machinery, scrap metal, junk or parts thereof, to be resold.

**SAND AND GRAVEL EXTRACTION:** the excavation, storage, separation, clearing and marketing of sand and gravel.

**SCREENING:** method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, mounding, or densely planted vegetation and is broken only by access drives, driveways and walkways.

**SEASONAL RESIDENCE:** summer cottages, winter lodges or similar housing, being occupied less than (6) six months during a year.

**SELF-SERVE STORAGE FACILITY:** any real property designed and used for the purpose of renting or leasing of storage spaces for storage of personal property.

**SEMI-PUBLIC USE:** church, place of worship, Sunday School, parochial school, college, or other institution of an educational, religious, charitable or philanthropic nature.

**SETBACK LINE:** a line established by Zoning, platting, or other legal means on a lot; the specified distance from and parallel to the lot line to restrict the encroachment of buildings on the lot line.

**SEWER, COMBINED:** an approved sewage disposal system, which carries both sanitary sewage and storm water runoff.

**SEWER, ON-SITE:** a septic tank installation on an individual lot which utilizes an anaerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction; a septic system.

**SEWER AND WATER, PUBLIC:** any system, other than septic tank or individual well, operated by a municipality for the disposal of wastes and the furnishing of water, or either, to residential, industrial and/or commercial users.

**SEXUALLY ORIENTED BUSINESS:** adult bookstores, adult video stores, adult movie house or theater, adult amusements or entertainment, adult cabarets, massage parlors.

**SITE PLAN:** a plan drawn to scale, indicating measurements of boundaries of the site, the

size and location of any existing structures or structures to be erected, uses, and/or proposed development features for a specific parcel or lot.

**SOCIAL ACTIVITY:** any building or land used by private and semi-private clubs, such as fraternities, lodges, and the like, for their club activities.

**SPECIAL RESIDENCE:** a dwelling unit on the same parcel of land as a commercial business, which requires a Conditional Use approval from the BZA.

**STABLING:** the raising, housing and care of animals by the occupants of the premises and not rented, used or boarded on a commercial basis for compensation.

**STORY:** that portion of a building included between the surface of any floor and the surface of the next floor above it, or, if there be no floors above it, then the space between such floor and ceiling next above it.

**STORY, HALF:** a story under a gable, hip or gambrel roof, the wall plates of which are on at least (2) two opposite exterior walls are not more than (2') two feet above the floor of such story.

**STREET:** a dedicated public thoroughfare, which provides vehicular and pedestrian access to abutting properties and approved as part of a record plat under applicable subdivision regulations by the Lucas County Plan Commissions; where applicable in accordance with ORC Chapters 711 and 713. *For the purpose of this Resolution, the word "street" shall include the words 'road' and 'highway.'*

**STRUCTURE:** anything constructed or erected other than a building, the use of which requires permanent location on the ground, or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards or backstops for tennis courts.

**STRUCTURAL ALTERATION:** any change which would tend to prolong the life of a supporting member of a structure, such as bearing walls, columns, beams or girders.

**SURVEY, LEGAL:** a sketch, plan, map or other exhibit containing a written statement regarding accuracy or conformity to specified standards certified and signed by the registered surveyor or registered engineer under whose supervision said survey was prepared.

**TAVERN:** a building or portion thereof, where liquor, beer or wine are served for consumption on the premises, with or without food.

**TELECOMMUNICATION TOWER:** any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure; shall meet all of the following conditions:

- a) constructed on October 31, 1996, or after;
- b) owned or principally used by a public utility engaged in the provision of telecommunication service.
- c) a freestanding structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the Zoning District in which it is located.

**TEMPORARY USE:** a use established for a fixed period of time with the intent to discontinue

such use upon the expiration of the time period.

**TENANT DIRECTORY SIGN:** any sign located at or near an entrance of a building that identifies name, address, and location within said building.

**TERRACE:** raised platform supported on one or more sides by a wall or a bank of earth.

**TOURIST CAMP:** land used or intended to be used by campers, trailers, tents, or movable dwellings; two or more trailers, whether parked or supported by foundations, shall constitute a tourist camp.

**TOURIST HOME:** building in which room or board, or both, are offered to the traveling public for compensation, and open to transient guests, in contradistinction to a hotel, boarding or rooming house. *See 2208-Bed and Breakfast.*

**TOWNHOUSE:** a building containing an attached row of three (3) or to six (6) one-family dwellings, each being separated from the adjoining house in each story by fire resistive walls, without openings and each house having independent access to the exterior of the building in the ground story.

**TRADITIONAL NEIGHBORHOOD DEVELOPMENT, TND:** A development that may exhibit several of the following characteristics: alleys, streets laid out in a grid system, buildings oriented to the street, front porches on house, pedestrian-orientation, compatible mixed land uses, village squares and greens.

**TRANSITIONAL ZONING:** a change in the zoning classification of land to a classification permitting development that is less intensive or dense, or more intensive or dense, such as from single family to multi-family to commercial and the opposite; step-down or step-up zoning.

**USE:** purpose of which a land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

**UTILITY EQUIPMENT:** any mechanical/motorized equipment that provides labor savings for the maintenance of a property where such equipment is kept; said equipment may have separate or multiple attachments; shall also include construction and lawn care equipment.

**UTILITY TRAILER:** single axle, flat or box trailer designed for light hauling.

**VARIANCE:** modification of the strict terms of the Resolution where such modification shall be approved by the BZA and not be contrary to the public interest and owing to conditions of the property and not the result of actions by the owner; a strict enforcement of the regulations would result in an unnecessary and undue hardship.

**VEHICLE STORAGE LOT:** use of property by an automobile dealership to park or store operable vehicles on a temporary basis or to provide an extra parking area for vehicle inventory in a Commercial District. *See §2227-Vehicle Storage Lots.*

**WASTE DISPOSAL:** disposition of garbage, combustible and noncombustible waste material.

**WAREHOUSE, WHOLESALE BUSINESS:** the primary use of receiving, storage, sale and

distribution of manufacturing products and equipment; such storage to be within wholly enclosed structures or buildings.

**YARD:** open space, other than a court, on the same lot with a building or group of buildings, which lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward.

**YARD, FRONT:** extending across the full width of a lot between the side lot lines and from the front lot line to the front building line.

**YARD, REAR:** extending across the full width of the lot between the side lot lines and laying between the furthest most point of the lot and nearest wall of the main building; shall be measured from the main building wall to the nearest point of the rear lot line.

**YARD, SIDE:** yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest building wall of the main building.

**ZC:** Sylvania Township Zoning Commission Board.

**ZERO LOT LINE:** a common lot line on which one exterior wall of a structure may be constructed on a side property line.

**ZONING DISTRICT:** the category of use or activity of land, buildings, structure or activities permitted by this Resolution; an established area designated on District Zoning Map designated for a specific use.

**ZONING PERMIT:** a document issued by a Zoning Administrator that authorizes a building or structure specified is in conformity with all provisions of this Resolution.

**ZONING ADMINISTRATOR, INSPECTOR:** an authorized official appointed by the Board of Township Trustees responsible for enforcing and administering the requirements of the Zoning Resolution.

**ZONING DISTRICT MAP:** zoning map or maps of the Township together with all amendments subsequently adopted.