

TITLE FIVE DEFINITIONS

1270.01 Interpretation of Terms or Words

1270.02 Definitions

1270.01 Interpretation of Terms or Words

For the purpose of this Ordinance certain terms and words are herein defined as follows:

- A. The words "used for" include "designed for" and "attended for" vice versa; words used in the present tense include the future; words in the masculine gender include the feminine and neuter; words in the singular number include the plural number and vice versa; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; the word "lot" includes the word "plot", and "parcel"; the word "shall" is mandatory and not directory.
- B. Where terms are not defined in this section, they shall have their ordinarily accepted meanings or such meanings as the text may imply.

1270.02 Definitions

Definitions used in this Zoning Code are as follows:

A

1. Accessory Use or Building: "Accessory use or building" means a subordinate use or building customarily incident to and located upon the same lot as the main use or building, including home occupations where permitted.
2. Acre. "Acre" means a land area of 43,560 square feet. ¹
3. Acre, Gross. "Gross Acre" means the total acreage of a parcel including public rights-of-way and easements.
4. Acre, Net. "Net Acre" means the total acreage of a parcel excluding public rights-of-way and easements.
5. Administrator. "Administrator" means the Zoning Inspector or his designated representative.
6. Advertising Message. "Advertising message" means that copy on a sign describing products or services being offered to the public.

¹ Amended Ord. 27-2006; Effective August 1, 2006

7. Agriculture: "Agriculture" means farming, dairying, pasturage, agriculture, horticulture, tree farming, viticulture, animal and poultry husbandry. Agriculture shall not include kennels.
8. Agricultural Products: "Agricultural Products" means goods produced or services provided by person(s) engaged in agriculture.
9. Aisle: "Aisle" means that portion of the circulation area within a parking lot that provides access to parking spaces or a delivery zone. The minimum width permissible for an aisle to serve adjacent parking spaces shall depend on the angle of parking as illustrated in [Section 1258.05.B.\(4\)](#) (Parking Space Dimensions).
10. Alley: "Alley" means a dedicated thoroughfare not more than ten feet wide where required for pedestrian use exclusively and not less than twenty feet wide where required for vehicular use.
11. Animal Care Facilities: "Animal Care Facilities" means structures, buildings, or enclosures used for medical treatment, care and temporary housing of animals, receiving treatment, with temporary housing being limited to 48 hours. Uses include but not limited to veterinary clinics and animal hospitals.
12. Animal Hospital: "Animal Hospital" means structures, buildings, or enclosures used for medical treatment and care of animals, but shall not include housing nor kennels for animals.
13. Apartment House: "Apartment house" means a building or portion thereof used or intended to be used as the home of three or more families or householders living independently of each other.
14. Applicant: "Applicant" means an owner of real property in the Village of Whitehouse or his/her agent.
15. Architectural Projection. "Architectural projection" means any projection not intended for occupancy which extends beyond the property line, not including signs, canopies or marquees.
16. Auction Market: "Auction Market" means a building, structure, or site which primary use is for selling of goods, merchandise, land etc. by a bidding process.
17. Automotive Service Station: See Motor Vehicle Service Station.

Awning. "Awning" means a shelter projecting from and supported by the exterior wall of a building constructed of rigid or non rigid materials on a supporting framework.

B

18. Banner. "Banner" means a temporary sign displayed on a flag, or a strip of lightweight material made of paper, cloth, or fabric attached to a frame at one or more of its edges.

19. Basement: "Basement" means a story partly or wholly below grade. If a basement is not occupied as living quarters, it shall not be included as a story for the purpose of height measurement. See [Figure 1270.02 -1](#) (Basement and Story).²
20. Bed and Breakfast: "Bed and Breakfast" means any place of lodging that provides eight (8) or fewer rooms for rent, for more than ten (10) nights in a twelve (12) month period, is the owners personal residence, is occupied by the owner at the time of rental and which the only meal served to guest is breakfast.
21. Big Box Retail Development: One or more retail/wholesale sales or service establishments which occupy no less than fifty thousand (50,000) square feet of gross floor area in a single building, typically requires high parking to building area ratios, and typically has a regional sales market. Such buildings can include, but are not limited to, shopping centers, malls, warehouse clubs that emphasize bulk sales, discount stores, department stores.³
22. Billboard or Poster Panels: "Billboard or Poster Panels" means any sign or advertising structure used to advertise goods, products, services or facilities which are located off-site from where the sign is installed and maintained.
23. Board: "Board" means The Board of Zoning Appeals.
24. Boarding House: "Boarding House" means a building, other than a Tourist Home, Bed and Breakfast, a motel or hotel, and used as a permanent dwelling for (3) three or more persons, where meals and lodging are provided for compensation.
25. Boarding of Animals and Livestock: "Boarding of Animals and Livestock" means stabling, housing and feeding of animals or livestock for compensation or for use in a commercial activity, exhibit or for other commercial/recreational purposes.
26. Boat Storage: "Boat Storage" means the storage of boats, similar watercraft and marine equipment.
27. Building: "Building" means a structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, property, or chattels. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate building.
28. Building Area: "Building Area" means the space remaining on a lot after the minimum open-space requirements (coverage, yards, setbacks) have been met.
29. Building, Community: "Building, Community" means a building used for public or private nonprofit agencies or organizations which provide social, educational and recreational activities and services to a neighborhood or community.
30. Building Coverage: "Building Coverage" means the amount of land covered or permitted to be covered by a building measured on a horizontal plane at mean grade level and excluding uncovered porches, terraces and steps.

² Amended Ord. 27-2006; Effective August 1, 2006

³ Amended Ord. 27-2006; Effective August 1, 2006

31. Building Face. "Building face or wall" means all window and wall area of a building in one plane or elevation.
32. Building Frontage. "Building frontage" means the linear width of a building facing the right of way or the linear length of the right of way facing the building, whichever is smaller.
33. Building Height: "Building Height" means the 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 ridges for a 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. See [Figure 1270.02-2](#) (Roof Types and Building Height).⁴
34. Building Setback Line: "Building Setback Line" means a setback line for a main building on a platted lot. See [Figure 1270.02-4](#) (Lot Terms).⁵
35. Building, Main: "Building, Main" means a building which contains the principal use of the lot. See [Figure 1270.02-4](#) (Lot Terms).⁶
36. Building Unit Group: "Building Unit Group" means two (2) or more buildings (other than dwellings) grouped upon a lot and held under one (1) ownership, such as universities, hospitals and institutions.
37. Building Wall. See "Building Face."
38. Bus Shelter: "Bus Shelter" means an open structure with a roof used as a protection or shield from wind, rain, snow etc. Usually a place for persons to stay awaiting a bus or passenger vehicle.
39. Business: "Business" means the sale, purchase, or exchange of goods or services.
40. Business, General: "Business, General" means retail and service establishments which, in addition to catering to the community residents' and workers' daily needs for convenience goods and services, also include establishments offering comparative type shopping facilities. General business includes, but is not limited to, supermarkets and stores and for the sale of drugs, hardware, appliances, furniture, apparel, footwear, business and personal services, professional services, offices and other similar or related activities which can be grouped by design into a unified shopping center.
41. Business, Highway: "Business, Highway" means commercial uses requiring locations on major thoroughfares and at their principal intersections. Highway uses include motels, motor vehicle service stations, motor vehicle repair, restaurants, drive-in establishments, building trades and services, commercial recreation and similar commercial activities, when maintained inside an enclosed building.

⁴ Amended Ord. 27-2006; Effective August 1, 2006

⁵ Amended Ord. 27-2006; Effective August 1, 2006

⁶ Amended Ord. 27-2006; Effective August 1, 2006

Business, Neighborhood: "Business, Neighborhood" means 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 and laundry pickup facilities, and hardware and grocery stores if less than 10,000 square feet of floor area. Other small businesses of an equally restricted and local nature may be permitted, based upon such interpretation of the Zoning Code by the Board of Zoning Appeals.

C

42. Campground: "Campground" means land used or intended to accommodate two (2) or more recreational vehicles, tents, or other individual camping units to be used as temporary housing for recreational purposes.
43. Cemetery/Memorial Gardens: "Cemetery/Memorial Gardens" means land used or intended to be used for the burial of the human or animal dead, including associated buildings such as chapels, mausoleums, crematories, and mortuaries if operated in connection with and within the boundaries of such cemetery.
- 43.5 Charitable Donation Collection Bin. "Charitable Donation Collection Bin" means an outdoor receptacle made of metal, steel or a similar product, designed with a door, slot or other opening that is intended to accept and store donated items such as books, clothing or other non-perishable goods and materials. Charitable donation collection bins shall not exceed twenty (20) square feet and seven (7) feet in height. The definition of charitable donation collection bins shall not include trailers with or without personnel to accept donations.*
44. Child Day-Care Center: Any place that provides day care or publicly funded day care to thirteen (13) or more children at one time or any place that is not the residence of the licensee or administrator where child day care is provided to seven (7) to twelve (12) children at one time.⁷
45. Child Day-Care Home, Type A: A permanent residence of the provider in which child day care is provided for seven (7) to twelve (12) children at one time or for four (4) to twelve (12) children at one time if four (4) or more children at one time are under two (2) years of age.⁸
46. Child Day-Care Home, Type-B: A permanent residence of the provider in which child day-care is provided for one (1) to six(6) children at one time and in which no more than three (3) children are under two (2) years of age at one time⁹

⁷ Amended Ord. 27-2006; Effective August 1, 2006

*Amended Ord. 7-2013; Effective July 2, 2013

⁸ Amended Ord. 27-2006; Effective August 1, 2006

⁹ Amended Ord. 27-2006; Effective August 1, 2006

47. Club: "Club" means a building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.
48. Commercial: "Commercial" means a use or activity which includes the purchase, sale, or exchange of goods or services including the display and transportation of commodities.
49. Commercial Message. "Commercial Message" means any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
50. Commercial Vehicle: "Commercial Vehicle" means any vehicle that requires a commercial drivers license to drive. This definition includes school buses, semi-tractors, dump trucks and hazardous material hauling. All commercial vehicles are prohibited in residential areas unless they are parked in an enclosed building.
51. Commission: "Commission" means the Planning Commission of the Village of Whitehouse.
52. Conditional Use (Special Exception): "Conditional Use (Special Exception)" means a use which is subject to conditional approval by the Board of Zoning Appeals. A conditional use may be granted by the Board only when there is a specific provision for such special exception made in this resolution. A conditional use is not considered to be a nonconforming use.
53. Covenant: "Covenant" means a private legal restriction on the use of land, contained in the deed to the property or otherwise formally recorded.
54. Cul-de-sac: "Cul-de-sac" means a short street having one (1) end open to traffic and being terminated by a vehicle turn-around.
55. Curb Grade: "Curb Grade" means the elevation of the established curb in front of the building measured at the center of such front. Where no curb grade has been established, the Village Engineer shall establish such curb grade or its equivalent for the purpose of this Ordinance.

D

56. Day Care Facilities: "Day Care Facilities" means a place other than the permanent residence, which administers to the needs of children or adults providing social, rehabilitation recreational or educational activities on a daily basis with no provisions for residential care. Uses include, but are not limited to, adult day care, child day care, rehabilitative care and nursery schools.
57. Density: "Density" means a unit of measurement representing the number of dwelling units per acre of land.
58. Density Classification. Density is classified as low, medium, or high as follows:
 - a) Low: no greater than 1.5 units per net acre
 - b) Low - Medium: 1.5 to 2.2 units per net acre

- c) Medium: 2.2 to 3.9 units per net acre
 - d) Medium - High: 3.9 to 5.0 units per net acre
 - e) High: greater than 5 units per net acre
59. Density, Gross. "Gross Density" means the number of dwelling units per acre of total land to be developed including right-of-ways.
60. Density, Net. "Net Density" means the number of dwelling units per acre excluding right-of-ways.
61. Disabled Vehicle: See Inoperable Vehicle
62. Dish Antenna (Earth Station): ¹⁰ "Dish-Type Satellite Signal-Receiving Antennas," also referred to as "earth stations" or "ground stations" shall mean one, or a combination of two or more of the following accessory structures:
- a) A signal-receiving device (antenna, dish antenna, or dish-type antenna), the purpose of which is to receive communication or other signals from satellites in earth orbit and other extraterrestrial sources.
 - b) A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.
 - c) A coaxial cable the purpose of which is to carry or transmit said signals to a receiver.
 - d) "Receiver" shall mean a television set or radio receiver.
 - e) "Dish" shall mean that part of a satellite signal receiving antenna characteristically shaped like a saucer or dish.
 - f) "Grounding Rod" shall mean a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safely pass and dissipate.
63. District: "District" means an area or section of the Village within which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, the requirements for off-street parking and the intensity of use are uniform.
64. Drive-Up: "Drive-Up" means an establishment or facilities where goods or services are provided from windows or in drive through areas to customers in cars or to the cars, and where the cars are temporarily stopped or standing and which commonly does, or could involve a lineup of cars waiting in line for such goods or services. Current examples of drive-up developments include but are not limited to car washes, drive-up windows at banks and at fast food restaurants.
65. Driveway: "Driveway" means a permanent hard-surfaced way that provides access to a garage, carport or unsheltered parking space from a street or place.

¹⁰ Amended Ord. 27-2006; Effective August 1, 2006

66. Dwelling: "Dwelling" means any house or building or portion thereof occupied or to be occupied in whole or in part as the home, residence or sleeping place of one or more persons.
67. Dwelling, multiple: "Multiple dwelling" means a building or portion thereof having three or more dwelling units and designed for or occupied by three (3) or more families living independently of each other.
68. Dwelling, single-family: "Single-family dwelling" means a building designed for or occupied by one family.
69. Dwelling, two-family: "Two-family dwelling" means a building designed for or occupied by two (2) families.
70. Dwelling Unit: "Dwelling Unit" means a group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, and eating purposes.

E

71. Easement: "Easement" means a grant by the property owner of the use of a part of the property by the public, a corporation or persons for specific purposes.
72. Erected: "Erected" means attached, altered, built, constructed, reconstructed, enlarged or moved, and includes the painting of wall signs, but does not include copy changes on any sign.
73. Exception: See Conditional Use (Special Exceptions)
74. Extraction Industry: "Extraction Industry" means the 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.

E

75. Facade: "Facade" means the entire building front including the parapet.
76. Family: "Family" means one (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from persons occupying a boarding house, lodging house or hotel herein defined.
77. Farm Market: "Farm Market" means a building, structure or site which primary purpose is for the sale of agricultural commodities or products, derived from the premises upon which the market is located or on land owned or leased by the operator of the market.
78. Flag: "Flag" means any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

79. Flea Market: "Flea Market" means a building, structure or site which primary purpose is for the leasing/renting of space, stalls or areas which are used for selling goods or merchandise.
80. Floor Area: "Floor area" means the sum total of the square footage of all of the floors of a structure or building.¹¹
81. Floor Area, Gross: "Gross Floor Area" means all of the area on each floor of a building, whether or not such area is enclosed by walls, exclusive of interior areas used for off-street parking or loading facilities.
82. Floor Area, Residential: "Residential Floor Area" means the interior floor area of a dwelling used for basic living purposes including stairways, halls, closets, and storage rooms, but not including basement, garages, or enclosed or unenclosed porches, breezeways or carports.¹²
83. Frontage: "Frontage" means all of the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating), measured at the building setback line, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street. See [Figure 1270.02-4](#) (Lot Terms).¹³
84. Frontage, Lot. "Lot frontage" means the length of the property line of any one premise along a public right-of-way on which it borders.
85. Frontage, Building. "Building frontage means the length of an outside building wall on a public right-of-way.

G

86. Garage: "Garage" means a structure or portion thereof which is used for the storage of motor vehicles.
87. Garage, Private. A "Private Garage means a detached accessory building or portion of a main building used for the storage of and used by the occupants of the building to which it is accessory.
88. Garage, Public. A "Public Garage" means a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor driven vehicles.
89. Garage, Storage. A "Storage Garage" means a building or portion thereof designed or used exclusively for storage of motor driven vehicles, and at which motor fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.
90. Grade: "Grade" means the curb line grade at the front lot line as established by Council.

¹¹ Amended Ord. 27-2006; Effective August 1, 2006

¹² Amended Ord. 27-2006; Effective August 1, 2006

¹³ Amended Ord. 27-2006; Effective August 1, 2006

91. Greenhouse: "Greenhouse" means a building or structure enclosed with glass or other glazing used for the cultivation and production of plants.
92. Gross Acre: See "Density," as defined herein.¹⁴
93. Gross Floor Area: See "Floor Area, Gross."

H

94. Half Story: see "Story"
95. Hard Surface: "Hard Surfaced" means a layer of bituminous, concrete, brick or other dust material forming a rigid, solid surface.
96. Hazardous Waste: "Hazardous Waste" means any waste or combination of waste in solid liquid, semi-solid or contained gaseous form which falls within the definition of Hazardous Waste under ORC 3734.01(j).
97. Health Care Clinics: "Health Care Clinics" means a health care facility which provides for diagnosis and treatment services on an emergency or outpatient basis with no provisions for residential care.
98. Height of Building: "Height of building" means the vertical distance at the building's principal front, measured from the established grade to the highest point of the roof. For buildings set back from the street line, the height may be measured from the average elevation of the finished grade along the front of the building. See [Figure 1270.02-2](#) (Roof Types and Height of Building)
99. Home Occupation: "Home Occupation" means an occupation carried on exclusively by the occupant(s) of a dwelling as a secondary use.
100. Hospital: "Hospital" means a health care facility which provides for diagnostic, medical, surgical or psychiatric treatment and care. It may include but not limited to related facilities for educational and training facilities for health professionals.
101. Hotel: "Hotel" means a building occupied as the more or less temporary abiding place of individuals who pay the owner or manager for lodging, with or without meals, and in which building there are more than five guest rooms, with no provision for cooking in any individual apartment.
102. House Trailer: See Manufactured Home.

I

103. Industrialized Unit: "Industrialized Unit" means an assembly of materials or products comprising all or part of a total structure which, when constructed, is self-sufficient or

¹⁴ Amended Ord. 27-2006; Effective August 1, 2006

substantially self-sufficient and when installed, constitutes the structure or part of a structure, except for preparations for its placement. For the purposes of this resolution, an industrialized unit is a dwelling, bearing certification of compliance with the Ohio Basic Building Code as defined under ORC 3781.10(j).

104. Inoperable Vehicle: "Inoperable Vehicle" means any motor vehicles which meets one of the following requirements:
- a) It does not display a valid license plate and is in either wrecked, partially wrecked, dismantled, partially dismantled, or discarded condition, or is incapable of being driven; or
 - b) It is wrecked, partially wrecked, dismantled, partially dismantled, discarded or is incapable of being driven and has remained so for a continuous period of thirty (30) days.
105. Institution: "Institution" means a building occupied by a nonprofit organization wholly for the public use.
106. Institutional Health Care Facilities: "Institutional Health Care Facilities" means a public or nonprofit institution which provides for residential health care and maintenance for mental health or developmentally disabled persons.

J

107. Junk Yard: "Junk Yard" means an open area where waste, scrap metal, paper, rags, or similar materials are bought, sold, exchanged, stored, packed, or handled, including building wrecking yards, but excluding uses taking place entirely within an enclosed building.
108. Juveniles, Harmful to:¹⁵ Any sexually oriented material or performance is harmful to juveniles, if it is offensive to prevailing standards in the adult community with respect to what is suitable for juveniles, and if any of the following apply:
- a) It tends to appeal to the prurient interest of juveniles;
 - b) It contains a display, description, or representation of specified sexual anatomical areas or specified sexual activities;
 - c) It makes repeated use of foul language; and
 - d) It contains a display, description, or representation in lurid detail of the violent physical torture, dismemberment, destruction, or death of a human being.

K

¹⁵ Amended Ord. 27-2006; Effective August 1, 2006

109. Kennel: "Kennel" means any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept for boarding purposes, medical care, or for other commercial purposes excluding animal husbandry.

L

110. Livestock: "Livestock" means any animal that is domesticated for use, pleasure, or profit.
111. Living Spaces or Area: "Living Spaces or Area" means that area in a residence which does not include a garage, breezeway, basement, attic or crawl space.
112. Loading Berth or Space: "Loading Berth or Space" means a space within the main building or on the same lot, exclusive of off-street parking space and which provides for the standing, delivery/pickup, loading or unloading of packages or materials.
113. Lot: "Lot" means 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 required. Such lots shall have frontage on an improved public street or on an approved private street and may consist of: a single lot of record; a portion of a lot of record; or a combination of single lots and/or portions of lots of record. See [Figure 1270.02-3](#) (Type of Lots).¹⁶
114. Lot Area: The total horizontal area within the boundaries of a lot exclusive of all rights-of-way of any access easement, alley, public or private street. See [Figure 1270.02-4](#) (Lot Terms).
115. Lot, Corner: A lot abutting upon two (2) or more streets at their intersection. See [Figure 1270.02-3](#) (Type of Lots).
116. 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. See [Figure 1270.02-4](#) (Lot Terms).
117. Lot Depth: the horizontal distance between the front and rear lot lines, measured along the median between the two side lot lines. See [Figure 1270.02-4](#) (Lot Terms).
118. Lot Frontage: the horizontal distance of the boundary line of a lot abutting a street or road right-of-way. On corner or through lots, the street or building address shall be considered frontage. See [Figure 1270.02-4](#) (Lot Terms).
119. Lot, Interior: a lot other than a corner lot. See [Figure 1270.02-3](#) (Type of Lots).
120. Lot of Record: a lot which is part of a subdivision, the map of which has been recorded in the office of the County Recorder of Lucas County, Ohio; or a parcel of land described by metes and bounds, the description of which has been recorded in the office of the County Recorder.
121. Lot Width: "Lot Width" means width of a lot measured at right angles to its depth at a line coinciding with the required depth of the front yard. The width of lot frontage on a cul-de-

¹⁶ Amended Ord. 27-2006; Effective August 1, 2006

sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard. See [Figure 1270.02-4](#) (Lot Terms).

M

122. Major Street: "Major Street" means a dedicated street within the Village of Whitehouse which has been classified as a dual highway, dominant major street, a major street, a secondary major street, or a main street on the Official Village Major Street Plan.
123. Major Street Plan: "Major Street Plan" means the Village of Whitehouse Major Street Plan which designates roadways as expressways, principal arterial, minor streets, major collectors or local collectors.
124. Mansard Roof. "Mansard Roof" means a slopping roof where the angle of the roof is no more than thirty degrees from perpendicular. Signs on these roofs shall be considered fascia signs.
125. Manufactured Home: "Manufactured Home" means a single family living unit designed and maintained in condition for transportation, after fabrication, on the site at which it is to be occupied as a living unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations; location on jacks or other foundations, and connection to essential public utilities; and falling within the definition of a "Manufactured Home" in Section 4501.01 of the Ohio Revised Code.
126. Manufactured Home, Permanently-Sited:¹⁷ "Permanently-Sited Manufactured Home" means a manufactured home that meets all of the following criteria:
- a) The structure is affixed to a permanent foundation and is connected to appropriate facilities;
 - b) The structure, excluding any addition, has a width of at least twenty-two (22) feet at one point, a length of at least twenty-two (22) feet at one point, and a total living area, excluding garages, porches, or attachments, of at least nine hundred (900) square feet;
 - c) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six (6) inch minimum eave overhang, including appropriate guttering;
 - d) The structure was manufactured after January 1, 1995;
 - e) The structure is not located in a "Manufactured Home Park" as defined by ORC 3733.01.
127. Manufacturing: "Manufacturing" means a process which combines raw materials or components into a product or which changes their physical or chemical characteristics.
128. Manufacturing, General. "General Manufacturing" means manufacturing, which by its nature and function may require large parcels, effective separation from residential and

¹⁷ Amended Ord. 27-2006; Effective August 1, 2006

most commercial areas, confinement within enclosed buildings and screened enclosures having an opaqueness of seventy-five (75) percent or greater, where outside storage of materials are necessary. General Manufacturing shall include but not be limited to processing of vegetables and fruit, dairy and bakery products, soft drinks and confections, textiles, glass, wood and plastic production, and fabrication, pharmaceuticals, metal fabrication, machining, tool and die, hardware and appliance production.

129. Manufacturing, Heavy. "Heavy Manufacturing" means manufacturing which requires large acreage parcels for isolation and separation from residential and commercial development, special consideration because of the potential spill over effect on surrounding areas and the use of buildings and open areas of the parcel for processing production and storage of materials. Heavy manufacturing shall include, but not be limited to, smelting and primary metal processing, mineral extraction, metal salvage and fabrication, motor vehicles and related products, manufactured housing, household appliances manufacturing, chemical and gas manufacture, refining, manufacturing and/or processing of animals, or animal parts for food, fertilizer or other purposes including the tanning and production of leather goods and furs.
130. Manufacturing, Restricted. "Restricted Manufacturing" means 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.
131. Marine Sales and Service. "Marine Sales and Service" means the sale and service of watercraft and marine equipment.
132. Marquee. "Marquee" means a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building. (compare "Awning")
133. Message. "Message" means the wording or copy on a sign.
134. Mobile Home. "Mobile Home" means 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.¹⁸
135. Modular Home: "Modular Home" means a factory built dwelling unit designed for assembly at the building site, bearing certification of compliance with the Ohio Basic Building Code and meets the definition of Industrialized Unit as defined under ORC 3781.10(j).
136. Motel: "Motel" means a building or group of buildings which provide rental or temporary sleeping accommodations.

¹⁸ Amended Ord. 27-2006; Effective August 1, 2006

137. Motor Vehicle Service Station: "Motor Vehicle Service Station" means any premises used for supplying gasoline and oil, at retail direct to the customer, including accessories, parts and minor services or repair for motor vehicles, but not including body or fender work, painting or major motor repairs. When the aforementioned service is incidental to the conduct of a public garage, the use shall be classified as a public garage.
138. Motor Vehicle Sales and Rental: "Motor Vehicle Sales and Rental" means the sale or rental of new and used motor vehicles, motorcycles, recreational vehicles, trailers, or travel trailers, to be displayed and sold on the premises and accessory services.
139. Motor Vehicle Salvage: "Motor Vehicle Salvage" means the dismantling, wrecking and/or salvage of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.
140. Motor Vehicle Salvage Yard: "Motor Vehicle Salvage Yard" means any place where two (2) or more motor vehicles not in running condition, or parts thereof are stored in the open, in a fenced area, or in a partially enclosed building, and are not being restored to operation, or any land used for wrecking, storing and/or salvage of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating conditions.

N

141. Net Acre: See "Density," as defined herein.¹⁹
142. Nonconforming Use: "Nonconforming Use" means any building or land lawfully occupied by a use at the effective date of this Ordinance, or amendment thereof, which does not conform after the passage of this Ordinance, or amendment thereof, with the use requirements of the district in which is situated.
143. Nursery School: "Nursery School" means a school designed to provide daytime care for instruction for two (2) or more children, and operated on a regular basis.
144. Nursing Home: "Nursing Home" means a residential care facility in which persons reside and as its primary function provides nursing care on a 24-hour basis, physical and/or social rehabilitation services and room and board.

O

145. Obscene Material / Obscenity.²⁰ Any sexually oriented material or performance that when considered as a whole and judged with reference to ordinary adults is "obscene" if it contains a series of patently offensive displays or descriptions of specified sexual anatomical areas or specified sexual activities, the cumulative effect of which is a dominant tendency to appeal to prurient or scatological interest, when the appeal to such an interest is primarily for its own sake, or in a way that inspires disgust or revulsion in persons with

¹⁹ Amended Ord. 27-2006; Effective August 1, 2006

²⁰ Amended Ord. 27-2006; Effective August 1, 2006

ordinary sensibilities, or for commercial exploitation, rather than primarily for a genuine scientific, educational, sociological, moral, or artistic purpose. Obscene sexually oriented material shall include any of the following activities as part or in connection with any of the uses of an establishment set forth in this Zoning Code:

- a) Human male genitals or the female breast areola in a discernibly turgid state of sexual stimulation or arousal;
- b) Fondling, rubbing, penetration, or other erotic touching or display of human genitals, pubic region, buttock, anus, female breasts, or open female labia;
- c) Actual sexual activity, normal or perverted, including human masturbation, the penetration of any orifice with a male penis or sexually-oriented toy, sexual intercourse, sodomy, cunnilingus, fellatio, bestiality, or sadomasochistic activities or other extreme or bizarre violence, cruelty, or brutality used to arouse lust;
- d) Excretory functions, actual or simulated, including urination, defecation, male ejaculation, or the aftermath of male ejaculation.

146. Occupancy. "Occupancy" means the portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

147. Overlay District: "Overlay District" means an additional secondary zoning classification which establishes additional regulations on the use of land, buildings or structures (example, the Flood Plain District).

148. Owner. "Owner" means a person recorded as such on official records. For the purpose of [Chapter 1259](#) (Signs), the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Administrator, e.g., a sign leased from a sign company.