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149. Parking Lot: "Parking Lot" means any off-street area or structure which meets one (1) of the following conditions:
- a) Contains one (1) or more parking, vehicular storage, loading or stacking spaces for commercial, institutional, recreational or industrial use, whether free or for compensation; or
 - b) Contains five (5) or more parking spaces for any residential use.
150. Parking Space: "Parking Space" means a rectangular or other angular area exclusive of any driveway or other circulation area, accessible from a street, alley or maneuvering area and designed for temporary parking of a motor vehicle. For single-family and two-family dwellings, one required parking space may be positioned behind another.
151. Performance Bond: "Performance Bond or Surety Bond" means an agreement by a subdivider or developer with the Village for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.
152. Person. "Person" means any individual, corporation, association, firm, partnership, or similarly defined interest.
153. Personal Services: "Personal Services" means any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repairing, barber shop, beauty parlors and similar activities.
154. Place: "Place" means a private thoroughfare other than a street or alley permanently reserved as a lot on a recorded plat as the principal means of access to abutting property approved under applicable Subdivision Regulations by the Village of Whitehouse in accordance with ORC Chapter 711 and 713.
155. Planned Unit Development: "Planned Unit Development" means an area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations.
156. Plat: "Plat" means a map or drawing of a tract or parcel of land.
157. Pond: "Pond" means a body of water of which none of the excavated material has been removed from the site for commercial purposes and is used for the following purposes: to provide water for livestock, fish and wildlife, recreation, fire control or crop and orchard spraying.

158. Premises. "Premises" means a parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.
159. Private Garage: See Garage
160. Professional Services: "Professional Services" means the use of offices and related spaces for such services which are provided by doctors, dentists, lawyers, architects and engineers.
161. Property Lines, Interior. "Interior Property Lines" means property lines other than those fronting on a street, road or highway.
162. Public Display. The act of exposing, placing, posting, exhibiting, or in any fashion displaying in any location, whether public or private, an item in such a manner that it may be readily seen and its content or character distinguished by normal unaided vision viewing it from a street, highway, or public sidewalk, or from the property of others, or from any portion of the premises where items and material other than sexually oriented materials are on display to the public.¹
163. Public Garage: See "Garage."
164. Public Service Facilities: "Public Service Facilities" means structures, buildings, and/or transmission, distribution, or collection systems, which are used to provide and maintain public utilities. Uses include, but not limited to, railroad, electric, gas, water and sewer, and telephone systems and other uses which meet the definition of public utility under ORC 4905.03.
165. Public Uses: "Public Uses" means uses which provide or maintain public services. These include, but not limited to, government buildings, schools, public parks, highway maintenance, and storage facilities.

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166. Recreational Facilities: "Recreation Facilities" means buildings, structures, lands or water areas used for social, leisure and recreational activities. These include, but not limited to, golf courses, clubs, sports field, indoor/outdoor courts, community/public -swimming pools, amusement centers, banquet halls, carnivals or parks.
167. Recreational Vehicle: "Recreational Vehicle" means a vehicular portable structure, such as a travel trailer, motor home, truck camper, fifth wheel trailer, or park trailer, that is designed for the sole purpose of recreational travel, is not used for the purpose of engaging in business for profit, commerce, or intrastate commerce, and is not regulated by the Public Utilities Commission.²

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

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

168. Residential Floor Area: See "Floor Area, Residential."
169. Right-of-Way Width. "Right-of-way Width" means the particular distance across a public street, measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the public right-of-way width shall be determined by the Village Engineer.
170. Road Side Stands or Structures: "Road Side Stands or Structures" means a building or structure used for the sale of agricultural produce that is grown on the property.
171. Roofline. "Roofline" means the top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.
172. Rooming House: See Boarding House.

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173. Salvage Yard: See Motor Vehicle Salvage Yard.
174. Self Service Storage Facility: "Self Service Storage Facility" means any real property designed and used for the purpose of renting or leasing individual storage spaces for the storage of personal property.
175. Semi-Public Uses: "Semi-Public Uses" means services and facilities which are provided to the public that are privately owned and controlled. These include, but are not limited to, churches, parochial schools, hospitals, and other educational, religious or philanthropic organizations and telecommunication facilities.
176. Setback Line: "Setback Line" means a line established by zoning, platting, or other legal means on a lot, that is a specified distance from and parallel to the lot line, to restrict the encroachment of buildings on the lot line. See [Figure 1270.02-4 \(Lot Terms\)](#).³
177. Sexually Oriented Business. An establishment where a substantial portion of the use is distinguished or characterized by its emphasis on sexually oriented materials. Sexually oriented businesses include, but are not limited to the following uses: sexually oriented cabaret/movie houses, sexually oriented media stores, sexually oriented shops, and sexually oriented motels, more specifically defined hereunder by this regulation. Businesses which feature sexually oriented materials which are prohibited include: sexually oriented encounter centers; sexually oriented escort agencies; sexually oriented nude modeling studios, sexually oriented spas; and sexually oriented viewing booths, more specifically defined hereunder by this ordinance.⁴
178. Sexually Oriented Cabaret/Movie House. An auditorium, bar, concert hall, movie house, nightclub, restaurant, indoor or outdoor theater, or similar business establishment which,

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

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

for any form of consideration, features sexually oriented materials to patrons in a seating area exceeding 150 square feet as a substantial portion of its entertainment or presentation time. Entertainment or presentations may include on-site live performances, such as exhibitions, dance routines, gyrational choreography, strippers (male or female), female impersonators, lingerie modeling, or lingerie dancers; or other adult media, including films, motion pictures, computer files or software, laser discs, video cassettes, DVD's, slides, and similar photographic reproductions or media.⁵

179. Sexually Oriented Encounter Center. An establishment that for any form of consideration, offers activities or physical contact between male and female persons and/or persons of the same sex in a private or semi-private area when one or more of the persons displays or exhibits specified sexual anatomical areas or performs specified sexual activities, including wrestling or tumbling, lap dancing, or body painting.⁶
180. Sexually Oriented Escort Agency. An establishment which for a fee, tip, or other consideration advertises to furnish, offers to furnish, or furnishes as its primary business a companion, guide, or date for a service which includes specified sexual activities or the exposure of specified sexual anatomical areas. This service also includes the private modeling of lingerie or private striptease performances.⁷
181. Sexually Oriented Materials. Media, matter, visual representations, performances, or services distinguished or characterized by the emphasis on specified sexual anatomical areas or specified sexual activities or which are otherwise harmful to juveniles or obscene. Such materials may include any one or more of the following: books, magazines, newspapers, periodicals, pamphlets, posters, prints, pictures, photographs, slides, transparencies, figures, images, descriptions, motion picture films, previews, trailers, video cassettes, compact discs, laser discs, DVDs, computer files or software, phonograph records, tapes, or other printed matter, visual representations, tangible devices or paraphernalia designed for use in connection with specified sexual activities, plays, shows, skits, dances, exhibitions, or any service capable of arousing prurient or scatological interests through sight, sound or touch.⁸
182. Sexually Oriented Media Store. A business establishment which offers sexually oriented media materials for sale, rental, or distribution for consumption off the premises for any form of consideration as a substantial portion of its stock in trade. Media includes but shall not necessarily be limited to printed matter, pictorial representations, or any electronic or laser reproduction of anything that is or may be used as a means of communication.⁹
183. Sexually Oriented Motel.¹⁰ A hotel, motel, or similar business establishment that offers accommodation to the public for any form of consideration which provides patrons with close-circuit television transmissions, films, motion pictures, laser discs, videocassettes, DVDs, slides, or other photographic reproductions that are characterized by the depiction or description of sexually oriented materials; and which:

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

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

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

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

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

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

- a) Has a sign visible from the public right-of-way that advertises the availability of sexually oriented materials along with room rentals; or
 - b) Offers a sleeping room for rent for a period of time that is less than ten (10) hours or allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.
184. Sexually Oriented Nude Model Studio.¹¹ An establishment where a person who exhibits specified sexual anatomical areas is to be observed sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. A Nude Model Studio shall not include a proprietary school licensed by the State of Ohio or a College, Community College, or University supported entirely or in part by public taxation, a private college or university that maintains and operates educational programs in which credits are transferable to a College, Community College, or University supported entirely or partly by taxation, or in a structure, provided such institution meets all of the following criteria:
- a) There is no sign visible from the exterior of the structure and no other advertising that indicates a person exhibiting specified sexual anatomical areas is available for viewing; and
 - b) In order to participate in a class a student must enroll at least three days in advance of the class; and
 - c) No more than one person exhibiting specified sexual anatomical areas is on the premises at any one time.
185. Sexually Oriented Shop. An establishment offering as a substantial portion of its trade any of the following goods for sale or rent: 1) Sexually oriented toys or novelties designed as representations of human genital organs or female breasts or designed or marketed primarily for use to stimulate human genital organs; 2) Lingerie marketed or presented in a context to suggest their use to expose specified sexual anatomical areas to view; or 3) Leather goods marketed or presented in a context to suggest their use for flagellation or torture by or upon a person clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of one clothed or naked.¹²
186. Sexually Oriented Spa. An establishment not operated by medical professionals or certified massage therapists which for a fee, tip, or other consideration advertises to furnish, offers to furnish, or furnishes as its primary business a massage, bath, sauna, exercise equipment, shower, or hot tub service, and which includes sexually oriented material or engages in or offers to engage patrons in specified sexual activities, or activities commonly associated with a sexually oriented encounter center.¹³

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

187. Sexually Oriented Viewing Booth. Any booth, cubicle, stall, or compartment less than or equal to one hundred fifty (150) square feet in area that is primarily designed, constructed, or used to hold or seat patrons therein, who are charged a fee or some other form of consideration for viewing sexually oriented materials, such as live entertainment, motion pictures or viewing publications by any photographic, electronic, magnetic, digital, or other means or media (including, but not limited to, film, video or magnetic tape, laser disc, CD-ROM, books, magazines, or periodicals).¹⁴
188. Shopping Center: "Shopping Center" means a group of retail businesses and services on a single site with common parking facilities and containing building(s) floor area of twenty thousand (20,000) square feet or greater.
189. Sign: "Sign" means any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.¹⁵
190. Sign, Abandoned. "Abandoned Sign" means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.
191. Sign, Animated. "Animated Sign" means a sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means. (See also and note difference from "changeable sign.") Animated signs include the following types:
- a) "Naturally Energized" means signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include flags, banners, pennants, streamers, spinners, metallic disks, or other similar devices designed to move in the wind.
 - b) "Mechanically Energized" means signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.
 - c) "Electrically Energized" means illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are either "Flashing Signs" or "Illusionary Movement Signs."
192. Sign Area. "Area of sign" means the area of the largest single face of the sign within a rectangle which forms the outside shape including any frame, forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, the rectangle shall include the entire area encompassing all the sections or modules.

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

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

193. Sign, Area Identification. "Area Identification Sign" means a sign free standing or affixed to a wall or fence which identifies a neighborhood, a residential subdivision, a multiple residential complex or a commercial or industrial complex.
194. Sign, Awning. "Awning Sign" means a sign painted on, printed on, or attached flat against the surface of an awning.
195. Sign Background Area. "Background area" means the entire area of a sign on which copy could be placed, as opposed to the copy area, when referred to in connection with fascia or painted wall signs.
196. Sign, Banner. "Banner sign" means a temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.
197. Sign, Billboard. "Billboard" (see "Off-Premise Sign")
198. Sign, Building. "Building sign" means a sign lettered to give the name of a building itself, as opposed to the name of occupants or services.
199. Sign, Changeable. "Changeable Sign" means a sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include the following types:
- a) "Manually Activated" means signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.
 - b) "Electrically Activated" means signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. "Electrically activated signs include "Fixed Message Electronic Signs" and "Computer Controlled Variable Message Electronic Signs."
200. Sign, Changeable Copy Sign. "Changeable Copy Sign" means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight (8) times per day shall be considered an animated sign and not a changeable copy sign for purposes of this code. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purpose of the resolution.
201. Sign, Clearance. "Clearance (of a Sign)" means the smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.
202. Sign, Computer Controlled Variable Message Electronic. "Computer Controlled Variable Message Electronic Signs" means signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

203. Sign Copy. "Copy" means the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.
204. Sign Copy Area. "Copy area" means the area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign. For fascia signs, the copy area limits refer to the message, not to the illuminated background.
205. Sign, Construction. "Construction Sign" means a temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.
206. Sign, Detached. "Detached sign" means any sign which serves solely to designate the location or direction of any place or area.
207. Sign, Directional. "Directional sign" means any sign which serves solely to designate the location or direction of any place or area.
208. Sign, Directional/Information. "Directional/Information Sign" means an on-premise sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs. May contain logo provided that the logo may not comprise more than 20% of the total sign area.
209. Sign, Double-Faced. "Double-Faced Sign" means a sign with two faces, essentially back-to-back.
210. Sign, Electrical. "Electrical Sign" means a sign or sign structure in which electrical wiring, connections, or fixtures are used.
211. Sign, Exempt. "Exempt signs" means exempted from normal permit requirements.
212. Sign, Face. "Face of Sign" means the area of a sign on which the copy is placed.¹⁶
213. Sign, Fixed Message Electronic. "Fixed Message Electronic Signs" means signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.
214. Sign, Flashing. "Flashing Signs" means illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or less than the duration of the period of darkness (off phase), and in which the intensity of illumination varies from zero (off) to one hundred (100) percent (on) during the programmed cycle.
215. Sign, Freestanding. "Freestanding Sign" means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

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

216. Sign, Future Development. "Future Development Sign" means a temporary sign indicating the future construction or development of a building or area but not fitting under the definition of "construction sign".
217. Sign, Government. "Government Sign" means any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.
218. Sign, Ground. "Ground Sign" means a sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour line and which maintains essentially the same contour from grade to top. Height and setbacks are to be the same as for freestanding signs.
219. Sign, Height. "Height" (of a Sign) means the vertical distance measured from the highest point of the sign, including decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less. (Compare "Clearance").
220. Sign, Holiday. See "Seasonal Sign."
221. Sign, Identification. "Identification Sign" means a sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.
222. Sign, Illegal. "Illegal Sign" means a sign which does not meet the requirements of this code and which has not received legal nonconforming status.
223. Sign, Illuminated. "Illuminated Sign" means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
224. Sign, Illusionary Movement. "Illusionary Movement Signs" means illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.
225. Sign, Incidental. "Incidental Sign" means a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.
226. Sign, Institutional Bulletin Board. "Institutional Bulletin Board" means a sign which primarily displays the name of the organization and/or upcoming events of that organization.

227. Sign, Low Profile. "Low Profile Sign" means a sign mounted directly to the ground with maximum height not to exceed eight (8) feet.
228. Sign Maintenance. "Maintenance" means for the purpose of this chapter, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.
229. Sign, Marquee. "Marquee Sign" means any sign attached to or supported by a marquee structure.
- 229.5 Sign, Menu Board. "Menu Board Sign" is a sign listing the services or goods sold by the business, the price thereof, and many include incidental advertising or the business logo. A "menu board" shall be counted in the ninety-six (96) square feet total per Chapter 1259.03 (A)(9).*
230. Sign, Multiple-Faced. "Multiple-Faced Sign" means a sign containing three (3) or more faces, not necessarily in back-to-back configuration.
231. Sign, Nonconforming. "Nonconforming Sign" means:
- a) A sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations.
 - b) A sign which does not conform to the sign code requirements, but for which a special permit has been issued.

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

232. Sign, Off-Premise. "Off-Premise Sign" (also "Billboard") means a sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, e.g., "billboards" or "outdoor advertising".
233. Sign, Off-Site Directional. "Off-Site Directional Sign" means a sign which provides directional assistance to access an establishment conveniently and safely. Such signs shall be limited by the Administrator in size, height, and placement as justified.
234. Sign, On-Premise. "On-Premise Sign" means a sign which pertains to the use of the premises and/or property on which it is located.
235. Sign, Painted Wall. "Painted Wall Sign" means any sign which is applied with paint or similar substance on the surface of a wall.

236. Sign, Point of Purchase Display. "Point of Purchase Display" means advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser, tire display, etc.
237. Sign, Pole. "Pole Sign" See ("Free Standing Sign")
238. Sign, Political Sign. "Political Sign" means a temporary sign used in connection with a local, state, or national election or referendum.
239. Sign, Portable. "Portable Sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.
240. Sign, Projecting. "Projecting Sign" means a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.
241. Sign, Public Service Information. "Public Service Information Sign" means any sign intended primarily to promote items of general interest to the community such as time, temperature and date, atmospheric conditions, news or traffic control, etc.
242. Sign, Real Estate. "Real Estate Sign" means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.
243. Sign, Residential. "Residential Sign" means any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of the zoning code.
244. Sign, Roof. "Roof Sign" means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.
245. Sign, Integral Roof. An "Integral Roof Sign" means any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.
246. Sign, Seasonal. "Seasonal Sign" or "Holiday Sign" means signs such as Christmas decorations or those used for an historic holiday, and installed for a limited period of time.
247. Sign, Temporary. "Temporary Sign" means a sign which is not permanently affixed and includes all devices such as banners, pennants, flag (not intended to include flags of any

nation), searchlights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas-filled figures.

248. Sign, Wall. "Wall Sign" means any sign attached parallel to, but within six (6) inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one (1) sign surface.

249. Sign, Window. "Window Sign" means any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

250. Site Plan: "Site Plan" means a scaled drawing of a proposed project showing, among others, the location of property lines, building locations, drives, walkways, parking areas, fencing and screening, setbacks, and signs as required by this Ordinance.

251. Sludge: "Sludge" means a solid or near solid by-product of sewage treatment or industrial waste treatment.

Solar Collector: Any of several devices that absorb and accumulate solar radiation for use as a source of energy.

252. Special Use (Exception): "Special Use (Exception)" means a use other than a use by (or as of) right.

253. Specified Sexual Activities.¹⁷ The non-obscene display or depiction of 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) Casual touching of human genitals, pubic region, buttocks, or female breasts; and
- b) Simulated human masturbation, cunnilingus, fellatio, sexual intercourse, or sodomy where the genitals cannot be seen.

254. Specified Sexual Anatomical Areas. The non-obscene showing of less than completely and opaquely covered human genitals, pubic region, vulva, buttocks, anus, anal cleft, or the lower portion of the female breast below the highest point of the areola, but not including any portion of the cleavage of the human female breast exhibited by a dress, blouse, skirt, leotard, bath suit, or other wearing apparel provided the areola or nipple is not exposed in whole or in part.¹⁸

255. Storage Garage: See "Garage."

256. Story: "Story" means 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 floor above it, then the space

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

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

between such floor and ceiling next above it. See [Figure 1270.02-1](#) (Basement and Story).¹⁹

- a) Half-Story - A basement, the floor of which is more than three (3) feet six (6) inches, but not more than four (4) feet, below grade and the ceiling of which is more than four (4) feet, but not more than four and one-half (4.5) feet above grade, or, a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite walls are not more than three (3) feet above the floor of such story, except that any such partial story under a gable, hip or gambrel roof used for residence purposes, other than by a family occupying the floor immediately below it, shall be deemed a full story. See [Figure 1270.02-1](#) (Basement and Story). See also [Figure 1270.02-2](#) (Roof Types and Building Height).²⁰

257. Street: "Street" means a public highway, road or thoroughfare which affords the principal means of access to adjacent lots, measured from property line to property line.²¹

258. Strip Development: A form of development characterized by substantial commercial or retail development frontage with direct or numerous access points from an arterial or collector road where the site contains parking located above ground level and lying between the accessed roadway and the primary buildings.²²

259. Structure: "Structure" means anything constructed, erected or placed on the land, the use of which requires a more or less permanent location on the land, or attached to something having a permanent location on the land. This includes and not limited to buildings, walls, fences, flag poles, advertising signs and billboards.

Enclosures constructed upon or placed upon a premises occupying less than thirty-six (36) square feet of surface area upon the premises and less than five (5) feet tall, shall not be considered structures and shall not require any permit or administrative approval from the Village of Whitehouse.

Structures constructed or placed upon a premises occupying more than thirty-six (36) square feet of surface area up to and including one hundred (100) square feet of surface area shall be placed or constructed upon a hard surface, e.g., concrete, gravel or upon skids with proper anchoring. Said structure shall not require any additional below ground foundation. Said structure shall require a permit from the Village of Whitehouse.

260. Structural Alterations: "Structural Alterations" means any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders.

261. Substantial Portion.²³ A measurement, count, or ratio used in the determination whether an establishment is a sexually-oriented business, and is computed as follows:

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

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

²¹ Amended Ord. 27-2006; Effective August 1, 2006

²² Amended Ord. 27-2006; Effective August 1, 2006

²³ Amended Ord. 27-2006; Effective August 1, 2006

- a) When sexually-oriented materials are located in displays visible or self-accessible to the public: more than five (5) percent of the content, stock-in-trade, shelf-space, or inventory of the establishment, or occupies more than ten (10) percent of its floor area;
- b) When sexually-oriented materials are located in separate rooms or areas with access controls which isolate the room or area from other parts of the store and which prevent patrons from viewing sexually-oriented material from the rest of the establishment: more than twenty-five (25) percent of the gross floor area of the establishment;
- c) For performance activities or the showing of films, motion pictures, video cassettes, slides, or similar visual or photographic reproductions: more than ten (10) percent of the presentations or performances within any ninety (90) day period in the establishment are characterized by the depiction or description of presentations emphasizing specified sexual activities, specified sexual anatomical areas, or sexually-oriented material that is harmful to juveniles or obscene; or the showing of movies where the Motion Picture Association of America Movie Rating System or a rating system using similar constitutionally acceptable standards would apply an "adults only" rating, including, but not limited to; "NC-17," "X," "XX," or "XXX," or unrated films with comparable content.

262. Swimming Pool: "Swimming Pool" means an enclosure, temporary or permanent, above or below ground, containing water to be used for bathing, wading or swimming, which shall be able to contain twenty-four (24) inches minimum depth of water and exceeds twelve (12) feet in diameter or length whichever applies to the appropriate shape.

I

263. Tourist Home: "Tourist Home" means a building other than a hotel or motel where temporary lodging is provided and offered to the public for compensation for not more than ten (10) individuals and open to transient guests.

264. Trailer Park: "Trailer Park" means a facility offering grounds or accommodations or both for house trailers or house cars, whether occupied as dwellings or stored temporarily or permanently.

U

265. Use: "Use" means the purpose for which a building, lot, sign, or structure is intended, designed, occupied, or maintained.²⁴

V

²⁴ Amended Ord. 27-2006; Effective August 1, 2006

Variance: "Variance" means a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

W

266. Warehouse: "Warehouse" means a building or structure used for the storage of goods, materials or equipment.

267. Waste: See Hazardous Waste, Sludge, Solid Waste.

Wind Energy System: See definitions outlined in Chapter 1257.24.

X

Y

268. Yard: "Yard" means an open space at grade between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used. See [Figure 1270.02-4](#) (Lot Terms).²⁵

269. Yard, Front - "Front Yard" means a yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections or permitted uncovered steps, uncovered balconies, platforms or decks, which are open to the sky. See [Figure 1270.02-4](#) (Lot Terms).²⁶

270. Yard, Rear. "Rear Yard" means a yard extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, balconies, platforms or decks which are open to the sky. On all lots the rear yard shall be at the opposite end of the lot from the front yard. See [Figure 1270.02-4](#) (Lot Terms).²⁷

271. Yard, Side. "Side Yard" means a yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main buildings or any projections thereof. See [Figure 1270.02-4](#) (Lot Terms).²⁸

²⁵ Amended Ord. 27-2006; Effective August 1, 2006

²⁶ Amended Ord. 27-2006; Effective August 1, 2006

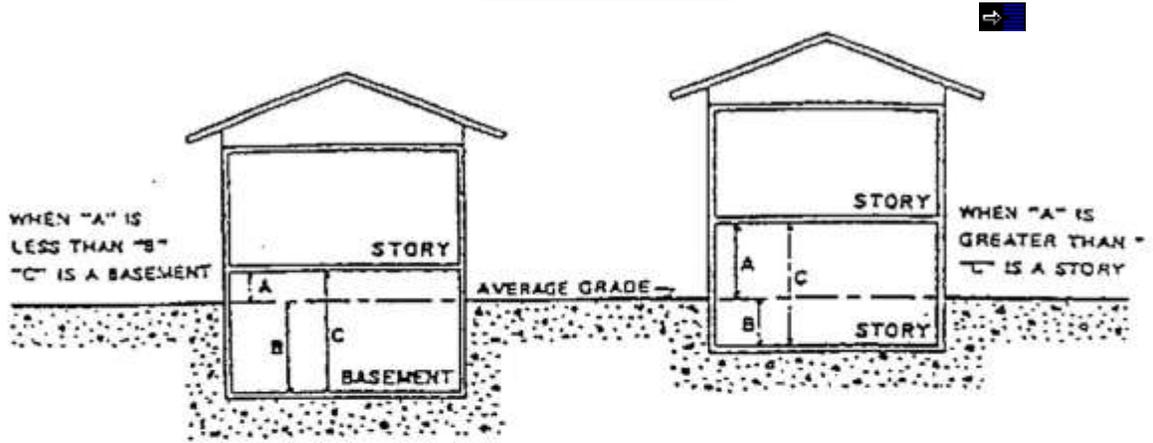
²⁷ Amended Ord. 27-2006; Effective August 1, 2006

²⁸ Amended Ord. 27-2006; Effective August 1, 2006

Z

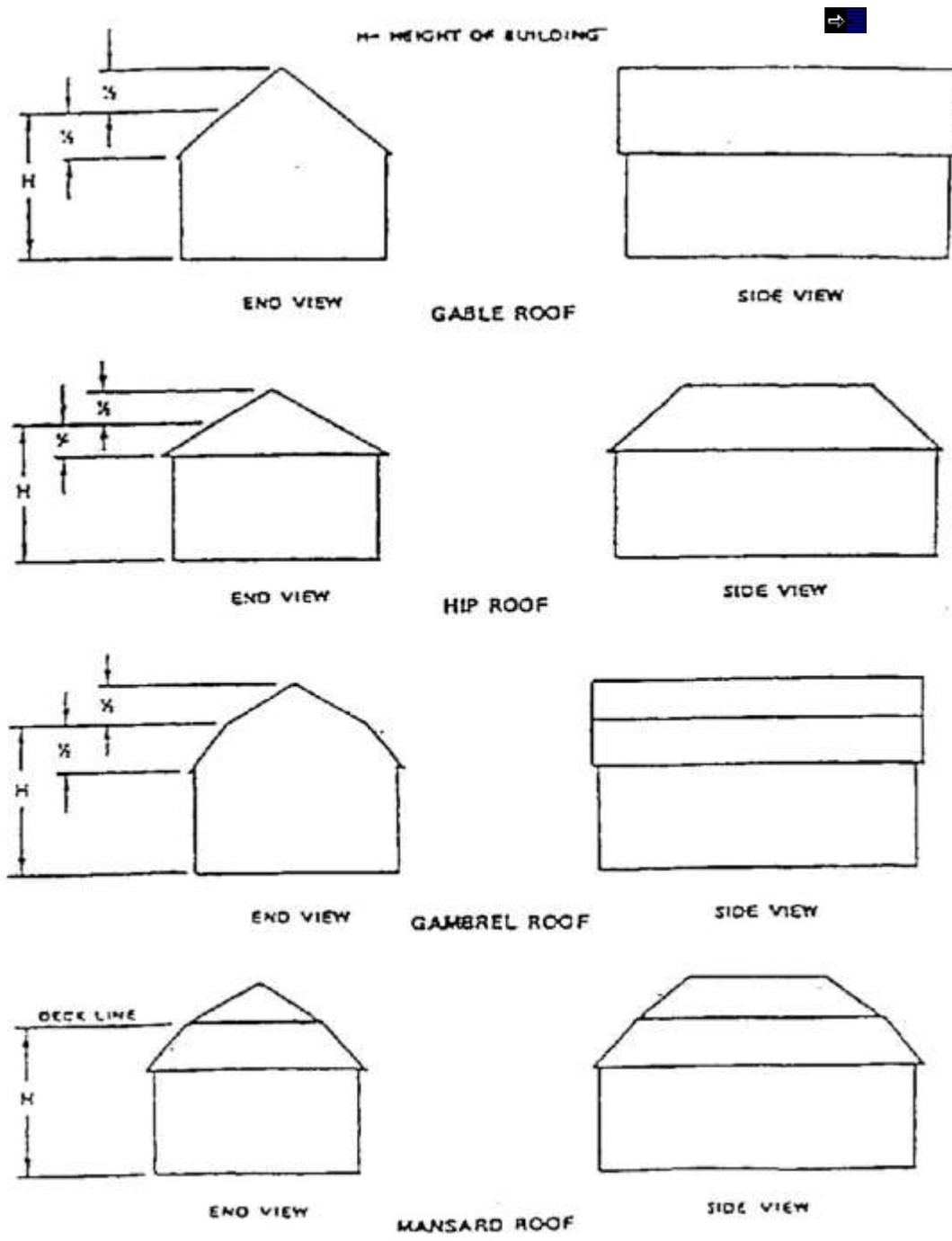
272. Zero Lot Line Development: The location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line. See [Figure 1270.02-5](#) (Examples of Zero Lot Line Development).
273. Zoning Inspector: "Zoning Inspector" means the agent, appointed by the Village Council, who is responsible for the administration and enforcement of the Village Zoning Regulations and required inspections for zoning compliance.
274. Zoning Permit: "Zoning Permit" means the document issued by the Zoning Inspector authorizing the use of land or buildings.
275. Zoning Code: "Zoning Code" means the Ordinance, codified herein as Titles One and Three of Part Twelve -the Planning and Zoning Code, and includes, where the text permits, any amendment thereto.
276. Zoning District Map: "Zoning District Map" means a Map or maps delineating zoning districts of the Village of Whitehouse, Lucas County, Ohio.

FIGURE 1270.02-1



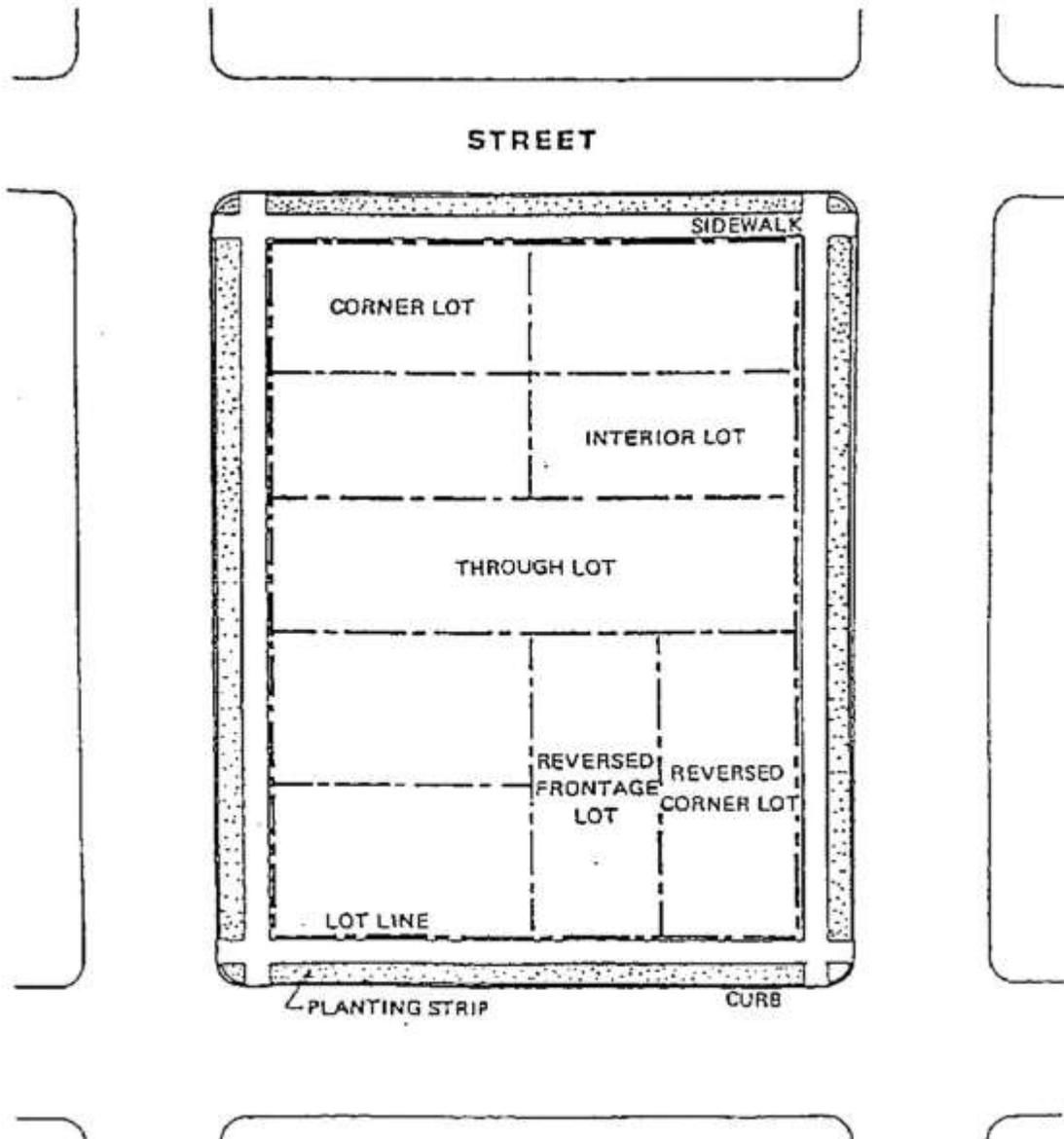
BASEMENT AND STORY

FIGURE 1270.02-2



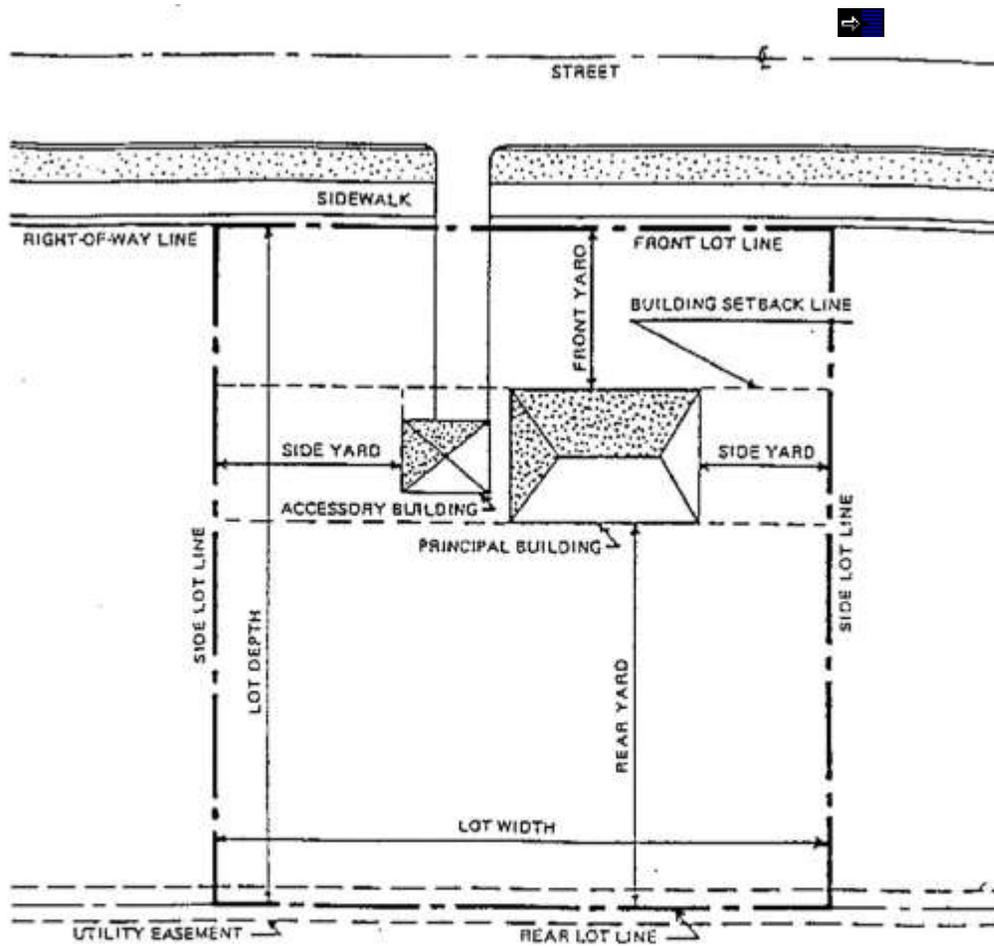
ROOF TYPES AND BUILDING HEIGHT

FIGURE 1270.02-3



TYPE OF LOTS

FIGURE 1270.02-4



LOT AREA= TOTAL HORIZONTAL AREA

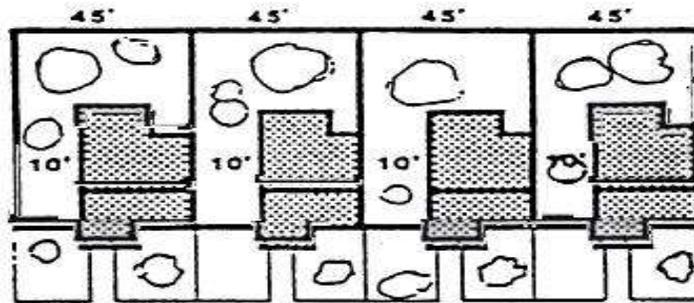
LOT COVERAGE= PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS

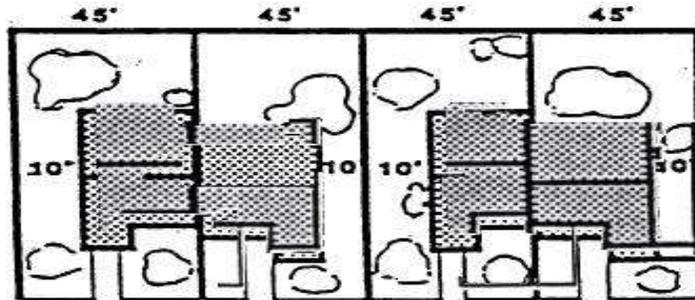
FIGURE 1270.02-5

EXAMPLES OF ZERO LOT LINE DEVELOPMENT

Single or Two Family Units



PARALLEL ZERO LOT LINES



COMMON ZERO LOT LINES

Multi Family Units

