

ARTICLE 2 DEFINITIONS

SECTION 2.01 WORD USAGE

For the purposes of these regulations and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter.

- 1.01.01 Words used in the present tense include the future;
- 1.01.02 Words in the singular number include the plural number and vice versa;
- 1.01.03 The words "shall" and "will" are mandatory and not directory, and the word "may" is permissive.
- 1.01.04 The words "used for" include "designed for" and vice versa;

SECTION 2.02 DEFINITION OF TERMS OR WORDS

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout these regulations. Terms not herein defined shall have the meaning customarily assigned to them.

ACCESSORY SOLAR ENERGY SYSTEM.¹ An area of land or other area used for a solar collection system to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

ACCESSORY USE OR STRUCTURE. A use or detached structure (such as a garage) which is customarily incidental and subordinate to the main use of the land or principal building on the lot. E.g., Any structures restricted to residential use shall not be an accessory use. The office of a professional and hobby workshops not conducted for compensation shall be deemed accessory use. In commercial, institutional and industrial areas, parking lots are accessory uses.

ADVERTISING SIGN. A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises.

AGRICULTURE. "Agriculture" shall include farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production, the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage, any combination of the foregoing; the processing, drying, storage, and marketing of

¹ Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

Article 2 Definitions

agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

AGRICULTURE IMPLEMENT SALES AND RENTAL. The sale or rental of new or used agricultural implements and equipment to be displayed for sale on the premises.

ALL-TERRAIN VEHICLES. Self propelled motor vehicles designed for off-road usage on land and/or water, including, but not limited to, snowmobiles, dirt-bikes, 3-wheel/4-wheel ATV's, and water ski-scooters.

ALLEY. A strip of land, generally to the rear of a parcel or property, dedicated for public use which affords only a secondary means of access to the property or parcel abutting thereon.

ALTERATION. Any change to a structure which does not involve a structural change.

ANIMAL CARE FACILITIES. Structures, buildings, or enclosures used for grooming, medical treatment, care and temporary housing of animals, receiving treatment, with temporary housing being limited to 48 hours. Uses include but not limited to pet grooming, pet boarding, veterinary clinics and animal hospitals.

APARTMENT. A room or suite of rooms intended, designed, or used as a residence by a single family.

APPLICANT. The land owner or his authorized representative, who requests a zoning permit as authorized by this Resolution.

APPLICATION. Written request for a change in zoning classification or use authorization as provided for under this Resolution.

AREA OF BUILDING. The number of square feet included within the outside walls excluding porches, breezeways, and terraces.

AVERAGE FINISHED GRADE LEVEL. The average of the grade of the ground at all corners of a building or other structure.

BALCONY. A railing enclosed platform projecting from the outer wall of a building.

BASEMENT. A story partly or wholly underground and having more than one-half of its clear height below the average level of the adjoining ground. A basement shall not be considered a story for purposes of height measurement, or in determining the permissible number of stories.

BILLBOARD OR POSTER PANEL. Any sign or advertisement used as an outdoor display for the purpose of making anything known, the origin or point of sale of which is remote from said display.

BOARD. The Zoning Board of Appeals of Troy Township.

BOARD OF TOWNSHIP TRUSTEES. The board of Township Trustees for Troy Township, Wood County, Ohio.

BOARDING HOUSE. A building or portion thereof, other than a hotel where meals, or lodging and meals for three (3) or more persons are provided for compensation.

Article 2 Definitions

BOAT STORAGE. The storage of boats, similar watercraft and marine equipment.

BOTTOMLESS. Less than complete opaque covering of male or female genitals, pubic area or buttocks.

BUILDING. Any structure having a roof supported by columns or walls designed or built for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind.

BUILDING, ACCESSORY. See “Accessory Use or Structure”

BUILDING AREA. The space remaining on a lot after the minimum open-space requirements (coverage, yards, setbacks) have been met.

BUILDING, COMMUNITY. A building used by public or private non-profit agencies or organizations which provide social, educational and recreational activities and services to a neighborhood or community.

BUILDING COVERAGE. 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.

BUILDING, FRONT LINE OF. The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.

BUILDING HEIGHT. The vertical distance measured from the average finished grade level to, in the case of a flat roof, the level of the highest point of the roof, or, in the case of pitched roofs, to the mean level between the eaves and the highest point of the roof.

BUILDING LINE. A setback line for a principal building on a platted lot.

BUILDING, MAIN. A building in which is contained the principal use of the lot.

BUILDINGS, PRINCIPAL. A building in which is conducted the main or principal use of the lot on which said building is situated.

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

BUSINESS SIGN. A sign which directs attention to the business or profession conducted or to the principal products sold upon the premises.

CAMPER VEHICLE. A motor vehicle with overnight accommodations for camping or travel.

CAMPGROUNDS. Land used or intended to accommodate two or more recreational vehicles, tents, or other individual camping units to be used as temporary housing for recreational purposes.

Article 2 Definitions

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

CHILD DAY CARE HOME, TYPE A. A permanent residence of the administrator licensed under ORC 5104 in which child day care or publicly funded 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.

CHILD DAY CARE HOME, TYPE B. A permanent residence of the provider regulated by ORC 5104 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 years of age at one time. This type of home shall be considered a residential use of property permitted in all zoning districts in which residential uses are permitted.

CHILD DAY CARE CENTER. Anyplace that provides day care or publicly-funded day care to thirteen (13) or more children at one time or anyplace 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.

CHIMNEY.² The flue or flues that carry off exhaust from an Outdoor Furnace, firebox or chamber.

CLINIC, MEDICAL. An 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. Any building or other structure devoted to the diagnosis, treatment and care of out-patients.

CLUB. A building or portion thereof or premises owned or operated by a corporation, association, person or persons for social, literary, political, educational or recreational purposes primarily for the exclusive use of members and their guests, but not primarily for profit or to render a service which is customarily carried on as a business.

COMMISSION. The Zoning Commission of Troy Township.

COMMERCIAL VEHICLE. Heavy machinery equipment, dump trucks, tractor and trailer rigs either as one unit or separately, vehicles having more than two axles on the road, and similar vehicles not ordinarily used for personal transportation.

CONDITIONAL USE. 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 conditional use made in this Resolution. A conditional use is not a nonconforming use.

COURT. An open unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

COURT, INNER. An inner court is any court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.

² Amended 4/25/2012 by Resolution 06-2012 (effective 5/25/2012)

Article 2 Definitions

COURT, OUTER. An outer court opens onto a required yard, street, or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street, or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.

COVENANT. A private legal restriction on the use of land contained in the deed to property or otherwise formally recorded.

CUL-DE-SAC. A short street having one end open to traffic and being terminated by a vehicle turn-around.

COTTAGE. Building designed and/or constructed for seasonal occupancy only.

DAY CARE FACILITIES. 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.

DENSITY. A unit of measurement representing the number of dwelling units per acre of land.

DENSITY, GROSS. The number of dwelling units per acre of total land to be developed including right-of-ways.

DENSITY, NET. The number of dwelling units per acre excluding right-of-ways.

DISH ANTENNA (EARTH STATION) - An accessory structure combination of:

- a) an antenna or dish antenna designed to receive communication or other signals from orbiting satellites;
- b) a low level noise amplifier (LNA) located at the focal point of the receiving antenna which magnifies and transfers the signal; and
- c) a coaxial cable which carries the signal into the interior of the building.

DISTRICT. An area or section of the township 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.

DOMINANT TENEMENT. See "Tenement, Dominant."

DRIVE-UP. 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 included but are not limited to car washes, drive-up windows at banks and at fast food restaurants.

DWELLING. Any building or portion thereof which is designed and constructed with materials customarily used for residential structures used exclusively for residential purposes containing

Article 2 Definitions

one or more dwelling units, and requires a resident building permit from the appropriate authority. The word "dwelling" includes the word "residence."

DWELLING, MULTIPLE-FAMILY. A building arranged, designed, and constructed with materials customarily used for residential structures to be occupied by three or more families living independently of each other and having independent and separate living areas, including apartment houses, apartment hotels, flats and group houses.

DWELLING, SINGLE-FAMILY. A dwelling entirely detached and independent from any other principal structure, arranged, intended, designed and constructed or reconstructed to be occupied by a single family.

DWELLING, TWO-FAMILY. A detached or semi-detached dwelling containing two (2) dwelling units and designed for or occupied exclusively by two (2) families living independently of each other

DWELLING UNIT. A room or group of rooms designed for residential occupancy with cooking facilities for a single family and occupied by a single family unit. There may be one (1) or more "dwelling units" within a single building.

E-CLASS WOOD BURNER.³ An Outdoor Furnace that has been approved by the EPA.

EASEMENT. 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.

EXTRACTION INDUSTRY. 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.

FAMILY. One or more persons who live together in one dwelling unit and maintain a common household, whether or not related to each other by birth or marriage. A "family" may also include domestic servants and gratuitous guests.

FARM MARKET. A commercial enterprise accessory to an agricultural use where fifty (50) percent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year.

FARM RECREATION ENTERPRISE. Farms, where part of the premises are adapted for use as recreation activities, including picnicking, paintball, sports areas, fishing waters, camping, scenery and nature recreation areas, hunting areas, hunting preserves and watershed projects.

FLOOR AREA. The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of exterior walls or from the centerline of walls separating two (2) buildings. "Floor area" shall not include: basement space, elevator and stair bulkheads, attic space, terraces, breezeways and open porches and uncovered steps.

FOOD PROCESSING. The preparation or processing of food products.

³ Amended 4/25/2012 by Resolution 06-2012 (effective 5/25/2012)

Article 2 Definitions

FORESTRY. The growing and care of trees for commercial purposes, including the cutting and marketing of timber.

FRONTAGE. All the property on one side of a street between two intersecting streets (crossing or terminating), measured at the public right-of-way 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.

GARAGE, PRIVATE. A detached accessory structure or portion of a principal building designed or used for the storage of not more than four (4) motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be a commercial vehicle, which shall not exceed a one-ton capacity.

GARAGE, STORAGE. 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.

GARBAGE INCINERATOR OR DUMP. A facility for dumping, storing, burying, reducing, disposing of, or burning garbage or items specified in the Code.

GAS STATION, SERVICE STATION. 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. Storage tanks shall be located completely within lot lines and underground.

GLARE.⁴ The effect produced by light with intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GREENHOUSE. A building or structure enclosed with glass or other glazing used for the cultivation and production of plants.

GROSS LEASABLE AREA. The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any; expressed in square feet and measured from the center line of joint partitions and from outside wall faces. It is all that area on which the tenants pay rent; it is the area producing income abbreviated GLA.

GROUP ADULT CARE FACILITY. Any residence, facility, institution, hotel, congregate housing project, or similar facility licensed pursuant to ORC 3722 that provides accommodations and supervision to three (3) to sixteen (16) unrelated adults, at least three (3) of whom are provided: assistance with activities of daily living; assistance with self-administration of medication; or preparation of special diets pursuant to the instructions of a physician or a licensed dietitian.

GROUP FOSTER HOME. A private residence certified by the State of Ohio in which children are received apart from their parents, guardian, or legal custodian, by an individual reimbursed for providing the children non-secure care, supervision, or training twenty-four (24) hours a day. Any certified foster home shall be considered to be a residential use of property for purposes of municipal, county, and township zoning and shall be a permitted use in all zoning districts in which residential uses are permitted.

⁴ Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

Article 2 Definitions

GROUP MR/DD RESIDENTIAL FACILITY. A residential facility licensed under ORC 5123.19 or otherwise regulated by the Department of Mental Retardation and Developmental Disabilities that provides room and board, personal care, habilitation services, and supervision in a family setting for at least six (6) but not more than sixteen (16) persons with mental retardation or a developmental disability.

HEALTH CARE CLINICS. A health care facility which provides for diagnosis and treatment services on an emergency or outpatient basis with no provisions for residential care.

HOME PROPERTY BUSINESS. ⁵ An accessory use which is an activity, profession, occupation, service, craft or revenue-enhancing hobby which is incidental and subordinate to the use of the premises as a single family dwelling and is conducted entirely within the dwelling unit, or other outbuilding on the site by a conditional use permit without any significant adverse effort upon the surrounding neighborhood.

HIGHWAY, MAJOR. A street or road of considerable continuity and used primarily as a traffic artery for inter-communication among large areas.

HOSPITAL. 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. Any building or other structure containing beds for at least four patients and devoted to the diagnosis, treatment or other care of human ailments.

HOTEL. A building in which lodging, or boarding and lodging, are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office normally supervised by a person in charge at all hours. As such, it is open to the public as distinguished from a boarding house, a lodging house, or an apartment which are herein defined. A building, or any part of a building which contains living and sleeping accommodations for transient occupancy and has a common entrance or entrances.

INDUSTRIALIZED UNIT. An assembly of materials or products comprising all or part of a total structure assembled in a factory and built in compliance with the Ohio Basic Building Code, which, when constructed, is self-sufficient or substantially self-sufficient and when installed, constitutes the structure or part of a structure, except for preparations for its placement and meets the definition of Industrialized Unit under O.R.C. 3781.10(H).

INSTITUTION. A building or land occupied by a non-profit corporation or a non-profit establishment for public use.

INSTITUTIONAL HEALTH CARE FACILITIES. A public or nonprofit institution which provides for residential health care and maintenance for mental health or developmentally disabled persons.

JUNK STORAGE AND/OR SALES. Two or more unlicensed vehicles, or any lot, land or structure, or part thereof, used primarily for the collection, storage and/or sale of waste paper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage, or salvaging of machinery or vehicles not in operating condition, and/or for the sale of parts thereof.

⁵ Amended 12/19/2012 by Resolution 16-2012 (effective 01/18/2013)

Article 2 Definitions

JUNK YARD. An open area where waste, scrap metal, paper, rags, or similar materials are brought, sold, exchanged, stored, packed, or handled, including building wrecking yards, but excluding uses taking place entirely within an enclosed building. This definition also includes recycling centers.

KENNEL. Any lot or premises on which five (5) or more dogs, more than three (3) months of age, are kept for boarding purposes, or for other commercial purposes excluding animal husbandry.

LABORER, SEASONAL. An individual employed only during the growing and/or harvesting or processing of agricultural products and whose place of employment is primarily on the premises on which the product is grown.

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 while loading or unloading merchandise or materials, and which abuts upon a street or other appropriate means of access. A space within the principal building or on the same lot therewith, providing for the standing, loading, or unloading of trucks. Such space shall have direct usable access to a street or alley. Where such loading space has been provided, an additional space lying alongside, contiguous to and not separated from the first such loading space need not be wider than twelve feet.

LODGING HOUSE. As herein defined is a building other than a hotel where lodging three or more persons is provided for compensation pursuant to previous arrangement and not to anyone who may apply.

LOT. A plot or parcel of land occupied by or legally capable of being occupied by a building and/or accessory structures and to include such open yard areas as are required by this Resolution and having its principal frontage upon a public street or place.

LOT, MINIMUM AREA OF. 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. The area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.

LOT, CORNER. Any lot at the junction of and abutting on two or more intersecting streets.

LOT, COVERAGE. The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

LOT DEPTH. The horizontal distance between the front and rear lot lines, measured along the median between the two side lot lines.

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.

LOT, INTERIOR. Any lot other than a corner lot.

LOT LINE, FRONT. For an interior lot, a "front lot line" is a road right-of-way line. On a corner lot, the road right-of-way line having the least dimension shall be considered the "front lot line".

Article 2 Definitions

LOT LINE, REAR. Any lot line, other than the road right-of-way line, which is parallel to the front lot line or within forty-five degrees of being parallel to the front lot line.

LOT LINE, SIDE. A "side lot line" is any lot line which is not a front lot line or a rear lot line.

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 or Auditor of Wood 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.

LOT, THROUGH. A lot which has frontage on a public road at both the front and rear of the lot.

LOT WIDTH. The horizontal distance between the side lot lines, measured at right angles to the lot depth at the legally established building setback line.

MAJOR STREET. A dedicated street within Wood County which has been classified as a dual highway, dominant major street, a major street, a secondary major street, or a main county road on the Official County Highway Plan.

MAIN BUILDING. (See "Building, Principal")

MANUFACTURED HOME. A single family dwelling unit fabricated in an off-site facility, which contains a mobile-component designed and maintained in condition for transportation to the site at which it is to be located for occupancy, except for minor and incidental unpacking and assembly operations, and placement on jacks or other foundation, and connected to essential public utilities. Such unit falls under the definition of Manufactured Home in Section 4501.01 of the Ohio Revised Code and is 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 has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

MANUFACTURED HOME PARK. Any site, lot, field, or tract of land upon which two (2) or more manufactured homes which contain a mobile component or mobile homes used for human habitation are parked, either free of charge or for revenue purposes, which shall include any roadway, building, structure, vehicle or enclosure used or intended for use as part of the facilities of such Manufactured Home Park; and falling within the definition of "Manufactured Home Park" in the Ohio Revised Code 3733.01.

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. Any manufacturing or industrial process including food processing and plant product processing, except that which is incident to agricultural operations on an individual's property holdings, which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, noise, vibration, cinders, gas, fumes, dust, smoke, refuse matter or water carried waste.

MANUFACTURING, RESTRICTED. Any manufacturing or industrial processing which by the nature of the materials, equipment and process utilized are to a considerable measure clean, quiet and free of any objectionable or hazardous element. Restricted manufacturing/industrial

Article 2 Definitions

uses shall include the industrial uses listed below and any other uses which are determined to be of the same general character: drugs, jewelry, musical instruments, sporting goods; processing and assembly of glass products, small household appliances, electronic products and parts for production of finished equipment; research and testing laboratories; printing and engraving plants.

MARINE SALES AND SERVICE. The sale and service of watercraft and marine equipment.

MASSAGE THERAPY BUSINESS. An establishment or place licensed by the state to provide massage therapy services.

MOBILE COMPONENT. An element of a dwelling unit which permits mobility by containing a wheeled chassis as an integral structural element.

MOTOR COURT OR MOTEL. A building or group of buildings used for the temporary residence of motorists or travelers.

MOTOR VEHICLE SERVICE STATION. 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.

MOTOR VEHICLE SALES AND RENTAL. 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.

MOTOR VEHICLE SALVAGE. 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.

MOTOR VEHICLE SALVAGE YARD. 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.

NATURAL WOOD.⁶ Wood that has not been painted, varnished or coated with similar material, has not been pressured treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.

NEW OUTDOOR FURNACE.⁷ An Outdoor Furnace that is first installed, established or constructed after the effective date for Outdoor Furnace.

NONCONFORMING USE. A building or land lawfully occupied by a use at the effective date of this Resolution, or amendment thereof, which does not conform after the passage of this Resolution, or amendment thereof, with the use requirements of the district in which it is situated or the development standards of this Resolution by reason of restrictions on area, height, yards, its location on the lot, bulk, or other standards concerning the structure for the District in which such "nonconforming use" is located.

⁶ Amended 4/25/2012 by Resolution 06-2012 (effective 5/25/2012)

⁷ Amended 4/25/2012 by Resolution 06-2012 (effective 5/25/2012)

Article 2 Definitions

NUDE OR NUDITY. The showing, representation, or depiction of human male or female genitals, pubic area or buttocks, with less than complete opaque covering of any portion thereof, or female breasts with less than a complete opaque covering or any portion thereof below the top of the nipple, or of covered male genitals in a discernible turgid state.

NUISANCE. Anything, condition, practice, or conduct that endangers health and safety, or is unreasonably annoying, unpleasant, obnoxious, or offends the senses, or obstructs the free use and comfortable enjoyment of property, or essentially interferes with the comfortable enjoyment of life (e.g., excessive or noisy vehicular traffic, dust, glare, and smoke.) A “nuisance” shall include any “attractive nuisance” which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot (e.g., this includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; or any structurally unsound fences or structures; or any lumber, trash, fences, debris, or vegetation which may provide a hazard for inquisitive minors).

NURSERY, PLANT MATERIALS. Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises or wholesale including products used for gardening or landscaping.

NURSERY SCHOOL. A school designed to provide day-time care or instruction for two (2) or more children and operated on a regular basis. "Nursery School" is synonymous with the term "Day Care Center". An occupied dwelling unit shall not be considered a nursery school.

NURSING HOME. A home used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal care services, but not skilled nursing care. A nursing home is licensed to provide personal care services and skilled nursing care as evidenced by a certificate of need.

OFF-STREET PARKING SPACE. An off-street space available for the parking of one motor vehicle and having an area of not less than two hundred square feet, exclusive of passageways, driveways and other maneuvering area appurtenant thereto and giving access thereto. Such space shall have direct access to a street or alley.

OFFICES FOR PROFESSIONAL ACTIVITIES. The use of offices, including clinics, and related space for such professional services as are provided by doctors, dentists, lawyers, architects and engineers.

OUTDOOR FURNACE. ⁸ Any equipment, device, appliance or apparatus or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to product heat or energy used as a component of a heating system providing heat for any interior space or water source. The Outdoor Furnace would be considered an accessory use to the main building.

PARCEL. An area of land shown as a unit or contiguous units on the County Auditor's map.

PARKING AREA. An open, unoccupied space used or required for use for parking of automobiles exclusively.

⁸ Amended 4/25/2012 by Resolution 06-2012 (effective 5/25/2012)

Article 2 Definitions

PARKING LOT. Any off-street area or structure which contains one or more parking, vehicular storage, loading or stacking spaces for commercial, institutional recreational or industrial use, whether free or for compensation; or contains five (5) or more parking spaces for any residential use

PARKING SPACE. An area available for the parking of one (1) motor vehicle and having an area of not less than one hundred and seventy-one (171) square feet exclusive of passageways, driveways and other maneuvering area appurtenant thereto and giving access the principal building or in an accessory structure, or unenclosed, having an area of not less than two hundred (200) square feet exclusive of driveways.

PERFORMANCE BOND OR SURETY BOND. An agreement by a subdivider or developer with the Township 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.

PERMANENT FOUNDATION. A permanent masonry, concrete or locally approved footer or foundation, to which a dwelling or manufactured or mobile home may be affixed.

PERMANENTLY SITED MANUFACTURED HOME. 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 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments;
- c) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six 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.

PERSON. The word "person" includes a firm, partnership, or corporation as well as an individual.

PERSONAL SERVICES. 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.

PHASE 2 MODEL.⁹ An Outdoor Furnace that has been approved by the EPA and has met EPA emission level and has the proper qualifying label and hang tag.

PLANNED UNIT DEVELOPMENT. An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment

⁹ Amended 4/25/2012 by Resolution 06-2012 (effective 5/25/2012)

Article 2 Definitions

under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations.

PLANNING COMMISSION. Wherever Planning Commission or County Planning Commission is referred to, it shall be the Wood County Planning Commission.

PLANT CULTIVATION. The cultivation of crops, fruit trees, nursery stock, truck garden products and similar plant materials outside of structures, such as greenhouses.

PLAT. A map or drawing of a tract or parcel of land.

PLAT REQUIRED. When more than five (5) parcels are created from one parcel or a new road is dedicated.

PLATTING. Platting shall mean the platting for residential development in accordance with Wood County Subdivision Rules and Regulations.

POND. A body of water used to provide water for livestock, fish and wildlife, swimming, fire control, crop and orchard spraying, or personal water supply and aesthetic landscape water feature. A minimum pond size is 1/3 acre.

PORCH. Wherever mentioned is a roofed open area, projecting from the front, side or rear wall of a building.

PRINCIPAL SOLAR ENERGY SYSTEM (PSES).¹⁰ An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

PROFESSIONAL ACTIVITIES. Professional services provided by doctors, dentists, lawyers, architects and engineers.

PUBLIC NUISANCE. A nuisance that unreasonably interferes with a right that is common to the general public and not merely some particular person. A thing may be a nuisance in one place, which-is not so in another; therefore the situation or locality of the nuisance must be considered.

PUBLIC SERVICE FACILITIES. The erection, construction, alteration, operation or maintenance of a utility or service by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water, and sewage services. Though exempted from township zoning, this term refers to structures, buildings, transmission, distribution, or collection systems, which are used to provide and maintain public utilities. Uses include by 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.

¹⁰ Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

Article 2 Definitions

PUBLIC USE(S). Public parks, schools and administrative, cultural and service buildings, police and fire stations, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials.

QUARRY. Any land from which rock, stone, gravel, sand, earth or mineral is removed, or excavated for the purpose of disposition away from the immediate premises. However, this shall not include excavation necessary for the actual foundations of any building, structure or pond, for which a Zoning Permit has been issued.

RECREATION FACILITIES-COMMERCIAL. Recreational facilities open to the public, established and operated for a profit, including but not limited to commercial golf courses, golf driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals and similar enterprises.

RECREATIONAL FACILITIES -- NON-COMMERCIAL. Private and semi-private recreational facilities which are not operated for commercial gain, including but not limited to private country clubs, riding clubs, golf courses and other private noncommercial recreation areas and facilities or recreation centers including private community swimming pools.

RECREATIONAL FACILITIES-RESTRICTED COMMERCIAL. Recreational facilities open to the public, established and operated for a profit and restricted to bowling alleys, swimming pools, ice skating rinks, miniature golf and similar recreation activities requiring limited land area.

RECREATION VEHICLE.¹¹ A vehicle designed to be used primarily for recreation purposes, including temporary sleeping quarters or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pick-up campers, travel trailers and tent trailers.

RESEARCH ACTIVITIES. Research, development, and testing related to such fields as chemical pharmaceutical, medical, electrical, transportation, and engineering. All research, testing, and development shall be carried on within entirely enclosed buildings, and no noise, smoke, glare, vibration, or odor shall be detected outside said building.

RESIDENCE OR RESIDENTIAL. A "residence" or "residential" shall include a building, or any part of a building, which contains dwelling units for permanent occupancy. "Residences" therefore include all one-family and multi-family dwellings. However, "residences" do not include: transient accommodations, as in transient hotels, motels, tourist cabins, and trailer camps; and that part of a building which is used for any non-residential uses, except accessory uses for residences, in a building containing both residences and other uses; and institutional uses, as in rest homes, nursing homes, homes for the aged, orphanages and other institutional residential uses.

RESIDENTIAL FLOOR AREA. The area of a dwelling devoted to living purposes, including stairways, halls, and closets, but excluding porches and space used for a garage or carport.

RESTAURANT. A private or public eating establishment which provides for the preparation and serving of food.

¹¹ amended /12/2001 by Resolution 1-2001 (effective 3/14/2001); amended 8/8/2001 by Resolution 1-2001 (effective 9/9/2001)

Article 2 Definitions

REST HOME. A home which provides personal assistance to persons who, by reason of age, infirmity, are dependent upon the service of others.

RETAIL STORE. A store selling commodities, not processed on the premises, direct to the public.

RIGHT-OF-WAY. Land which is set aside for streets, alleys, easements, utilities or other physical improvements.

ROAD. Refer to Streets.

ROADSIDE STAND. A temporary structure designed or used for the display or sale of agricultural and related products.

SCHOOL BUS STORAGE FACILITY. Land, buildings and structures devoted primarily to the maintenance, storage and fueling of school busses, their equipment and material.

SELF SERVICE STORAGE FACILITY. Any real property designed and used for the purpose of renting or leasing individual storage spaces for the storage of personal property.

SEMI-PUBLIC USES. Churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature. Services and facilities which are provided to the public that are privately owned and controlled. These might include but are not limited to churches, parochial schools, hospitals, and other educational, religious or philanthropic organizations and telecommunication facilities.

SERVIENT TENEMENT. See "Tenement, Servient."

SET BACK BUILDING LINE. Line perpendicular to the set back distance at the specified distance. A line established by zoning, platting or other legal means on a lot a specified distance from and parallel to the lot line to restrict the encroachment of buildings on the lot line.

SET BACK DISTANCE. The minimum horizontal distance between the road right of-way and the building line.

SEXUAL ACTIVITY. The non-obscene act, 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;
- b) Simulated human masturbation, cunnilingus, fellatio, sexual intercourse, or sodomy where the genitals cannot be seen.

SEXUAL ANATOMICAL AREAS. The 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, bathing suit, or other wearing apparel provided the areola or nipple is not exposed in whole or in part.

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

Article 2 Definitions

SEXUALLY ORIENTED BUSINESS. An establishment having as its primary stock and trade material that is distinguished or characterized by its emphasis on sexually oriented material.

SEXUALLY ORIENTED CABARET / MOTION PICTURE THEATER. An auditorium, bar, concert hall, movie house, nightclub, restaurant, indoor or outdoor theater, or similar business establishment which, for any form of consideration, is regularly used or utilizes fifteen (15) percent or more of its total viewing time for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to sexually oriented material as defined in this section in a seating area exceeding one hundred fifty (150) square feet. 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.

SEXUALLY ORIENTED MATERIAL. Media, matter, visual representations, performances, or services distinguished or characterized by the emphasis on sexual anatomical areas or sexual activities. 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.

SEXUALLY ORIENTED MEDIA / NOVELTY STORE. An establishment which utilizes fifteen (15) percent or more of its retail selling area for any form of consideration for the purpose of retail sale or rental, or display by coin or slug-operated, electronically, or electrically or mechanically controlled still or motion picture machines, projectors, or other image producing devices, or both; books, magazines, periodicals or other visual representations, films, tapes and cassettes, instruments, devices, or paraphernalia which are distinguished by their emphasis on sexually oriented materials, as defined herein.

SEXUALLY ORIENTED MOTEL. 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: 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.

SEXUALLY ORIENTED MOTION PICTURE DRIVE-IN THEATER. An open air drive-in theater which is regularly used or utilizes fifteen (15) percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to sexually oriented material as defined in this section.

SEXUALLY ORIENTED NUDE ENCOUNTER CENTERS. An establishment that for any form of consideration, offers activities or physical contact between male and female persons and/or

Article 2 Definitions

persons of the same sex in a private or semi-private area when one or more of the persons displays or exhibits sexual anatomical areas or performs sexual activities, including wrestling or tumbling, lap dancing, body painting and sex therapy counseling for couples by a licensed.

SEXUALLY ORIENTED NUDE MODELING STUDIOS FOR PAINTING OR PHOTOGRAPHY.

An establishment where a person who exhibits 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 sexual anatomical areas as specified herein is on the premises at any one time.

SEXUALLY ORIENTED OBSCENE MATERIAL / OBSCENITY. 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 displays or descriptions of sexual anatomy or activities, extreme or bizarre acts of violence, or bodily functions of elimination, 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 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, open female labia, 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, or female breasts;
- c) Actual sexual activity, normal or perverted, including human masturbation, the penetration of any orifice with a male penis or sex 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, ejaculation, or the aftermath of ejaculation.

SEXUALLY ORIENTED PARTICIPATORY STRIPTEASE LINGERIE MODELING. An establishment where a patron purchases an item of clothing worn by a model which is removed and delivered on the spot.

SEXUALLY ORIENTED SPAS SUCH AS MASSAGE PARLORS. An establishment not operated by medical professionals or licensed 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

Article 2 Definitions

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.

SEXUALLY ORIENTED TOUCHING AND ENCOUNTER BUSINESSES. Sexually oriented businesses that frequently, if not always, involve a form of prostitution which is illegal in Ohio. As specified in Section 6.14.02(b) (Prohibited Uses), such businesses include: "sexually oriented motels," "sexually oriented nude encounter centers", "sexually oriented nude modeling studios for painting or photography or "participatory striptease lingerie modeling," "sexually oriented spas such as massage parlors not operated by medical professionals or certified massage therapists," and "sexually oriented viewing booths."

SEXUALLY ORIENTED VIEWING BOOTHS. 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).

SEWAGE DISPOSAL-COMBINED. An approved sewage disposal system which provides for a combined collection and disposal of sewage from a group of residential, commercial or industrial buildings.

SEWAGE DISPOSAL-INDIVIDUAL. 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 or sanitation officials having jurisdiction.

SEWAGE DISPOSAL SYSTEM - 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.

SIGN. Any structure or part thereof or any device attached to a structure or painted or represented on a structure on which lettered, figured, or pictorial matter is displayed or used for the purpose of bringing the subject matter to the attention of the public. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located. A "sign" includes any billboard, but does not include any flag, badge, or insignia of any governmental agency or of any charitable, religious, educational, or similar organization.

SITE PLAN. 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 Resolution.

SLUDGE. A solid or near solid by-product of sewage treatment or industrial waste treatment.

SOCIAL ACTIVITIES. The use of land and buildings for clubs, fraternal organizations, veterans organizations and similar social purposes. This does not include such uses as credit unions or business offices.

Article 2 Definitions

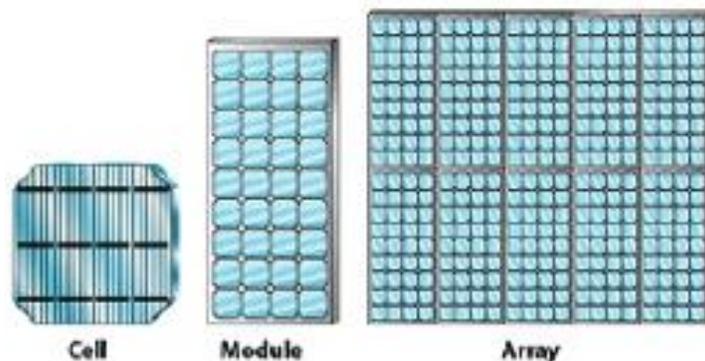
SOLAR ARRAY.¹² A grouping of multiple solar modules with purpose of harvesting solar energy.

SOLAR CELL.¹³ The smallest basic solar device with generates electricity when exposed to light.

SOLAR ENERGY.¹⁴ Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR ENERGY RELATED EQUIPMENT.¹⁵ Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.

SOLAR MODULE.¹⁶ A grouping of solar cells with the purpose of harvesting solar energy.



SOLAR PANEL.¹⁷ That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in heating or cooling, for water heating and/or for electricity.

SPECIALIZED ANIMAL RAISING AND CARE. The use of land and buildings for the raising and care of fur-bearing animals such as rabbits and domestic pets; and the stabling and care of horses, animal kennels, or birds of a similar nature.

STORY. That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

STORY, HALF. A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story.

¹² Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

¹³ Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

¹⁴ Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

¹⁵ Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

¹⁶ Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

¹⁷ Amended 3/24/2021 by Resolution 02-2021 (effective 4/23/2021)

Article 2 Definitions

STREET. A public or private thoroughfare thirty (30) feet or more in width, measured from the right-of-way lines. For the purposes of this Resolution, the word "street" shall include the words "road" and "highway" which affords the principal means of access to abutting property.

STREET GRADE. The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street at the midpoint of the lot shall be taken as the street grade.

STREET LINE, RIGHT-OF-WAY LINE. A dividing line separating a lot, tract or parcel of land.

STREET WIDTH. The horizontal distance between the side lines of a street, measured at right angles to the side lines.

STRUCTURE. ¹⁸ A structure or building is anything erected, constructed or reconstructed on a foundation or on posts, piles, blocks, skids, sills, or any other support elements whether such foundation, posts, piles, blocks, skids, sill, or other support elements are or are not permanently located in or attached to the soil.

STRUCTURAL ALTERATION/CHANGE. Any change in the supporting members of a building such as bearing walls or partitions, columns, beams, girders, and/or substantial changes in the roof or exterior walls, except for such repairs as may be required for the safety of the building; or any change to a building which alters the volume of the building by increasing or decreasing the footprint of the building. This does not include repainting, reroofing or the residing of the building's exterior.

SUBORDINATE STRUCTURE OR LAND USE. A secondary structure or land use established in conjunction with, clearly subservient to, and compatible with the principal permitted uses or structures authorized under zoning regulations applicable to the property.

SUPPLY YARDS. A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

SWIMMING POOL. 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 18 inches minimum depth of water.

TECHNICAL SERVICE. Any activity conducted for gain which renders technical service to residential, commercial and industrial consumers. Such services include but are not limited to: testing laboratories, construction trade offices and storage facilities, and wholesale suppliers of construction/building materials.

TENEMENT, DOMINANT. A zero lot line development adjoining property benefiting from a side yard easement.

TENEMENT, SERVIENT. A zero lot line development property providing a side yard easement.

TOURIST HOME. A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty (20) individuals and open to transient guests.

¹⁸ Amended 8/8/2001 by Resolution 01-2001 (effective 9/9/2001)

Article 2 Definitions

A building where temporary lodging is offered to the public, for compensation, in no more than three rooms and for not more than six adults.

TOWNSHIP. Troy Township, Wood County, Ohio.

TOPLESS. The showing of a female breast with less than a complete opaque covering of any portion hereof below the top of the nipple.

TRANSPORTATION-FOR-HIRE. A business with not more than three commercial vehicles or trailers on a parcel of land.¹⁹

TRUCK STOP. A business which caters primarily to the needs of the trucking industry by offering fuel, dining facilities, gift shops, emergency repair, or similar type services.

TRUCKING TERMINAL. An area and structure designed and primarily used as a terminus of trucks for the purpose of hauling materials, where consignment property is loaded, unloaded, transferred or housed.

TRUSTEES, BOARD OF. The Board of Trustees of Troy Township, Wood County, Ohio.

TRAILERS, UTILITY. Any small trailer drawn by a motor vehicle used for the occasional transport of personal effects, camping equipment or boats.

USE. Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied.

USED CAR LOT. Any lot on which two (2) or more motor vehicles in operating condition are offered for sale or display to the public.

VARIANCE. 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.

VETERINARY ANIMAL HOSPITAL OR CLINIC. A place used for the care, grooming, diagnosis and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

WAREHOUSE. A building or structure used for the storage of goods, materials or equipment.

YARD. An open space at grade between a building and the 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 purposes of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the principal building shall be used.

¹⁹ Amended 10/28/2020 by Resolution 9-2020 (effective 11/27/2020)

Article 2 Definitions

YARD, FRONT. A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the edge of the street right-of-way and the principal building or any projection thereof, other than the projection of the usual uncovered steps, uncovered balconies, or uncovered porch. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

YARD, REAR. A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the principal building or any projection thereof, other than the projections of uncovered steps or unenclosed balconies or unenclosed porches.

YARD, SIDE. A yard between the principal 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 principal building or any projections thereto.

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 graphic in Section 5.01.07 (Zero Lot Line Development)

ZONING BOARD OF APPEALS. Board of Appeals of Troy Township, Wood County, Ohio.

ZONING PERMIT. The document issued by the Zoning Inspector authorizing the use of the land or building.

ZONING COMMISSION. The Zoning Commission of Troy Township, Wood County, Ohio.

ZONING DISTRICT MAP. The Zoning District Map or maps of the township together with all amendments subsequently adopted.

ZONING INSPECTOR. The Zoning Inspector or his authorized representative appointed by the Board of Trustees. The agent appointed by the Township Trustees, who is responsible for the administration of the Township Zoning regulations and required inspections for zoning compliance.