

TITLE II DEFINITIONS

CHAPTER 200 INTERPRETATION OF WORDS

The following rules of word usage apply to the text of this Zoning Code:

- A. The word “person” includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.
- B. The word “shall” indicates a mandatory requirement. The word “may” indicates a permissive requirement. The word “should” indicates a preferred requirement.
- C. Words used in the present tense shall include the future tense; words used in the singular number shall include the plural and the plural the singular, unless the context clearly indicates the contrary; use of gender specific pronouns is literary and shall be interpreted to include both sexes.
- D. A “building” or “structure” includes any part thereof.
- E. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied.”
- F. Any word or term not defined herein shall be given a meaning found in the latest publication of the American Planning Association’s Survey of Zoning Definitions, Webster’s Dictionary, or Black's Law Dictionary.

CHAPTER 210 DEFINITIONS

Abandonment: To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

Abutting: To physically have property or district lines in common.

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

Addition: Any construction that increases the size of a building.

Adult Day Care Center: Any place in which day care is provided for adults in need of temporary oversight, and which may include incidental facilities for the preparation and consumption of meals, rest and recreation.

Adult Entertainment Uses: Include but are not limited to:

"Adult" Arcade: Any place to which the public is permitted or invited, wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

"Adult" Bookstore or "Adult" Video Store: A commercial establishment which derives twenty-five percent (25%) or more of its gross income from the sale and rental of, or utilizes twenty-five percent (25%) or more of its retail selling area for the display of any one or more of the following:

1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas" or
2. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities." A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as "Adult" Bookstore or "Adult" Video Store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an "Adult" Bookstore or "Adult" Video Store.

Adult Cabaret: A nightclub, bar, restaurant or similar establishment that regularly features live dancers or performers who must wear at least pasties and a g-string.

Adult Motion Picture Theater: A commercial establishment which derives twenty-five percent (25%) or more of its gross income from the showing of, or utilizes twenty-five percent (25%) or more of its total viewing time for the presentation of, or both, materials for observation by its patrons, films, motion pictures, video cassettes, slides, or similar photographic reproductions, which are regularly shown and which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Adult Theater: A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified

sexual activities."

Massage Parlor: An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional person licensed by the state. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishments where massage or similar manipulation of the human body is offered as an incidental or accessory service.

Adult Residential – Institutional: A facility licensed to provide residential care for 17 or more adults needing daily assistance, but not skilled nursing care, or 11 or more adults receiving skilled nursing for treatment and healing from sickness/injury.

Agriculture: The use of land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal or poultry husbandry and the necessary accessory uses.

Airport: Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangers and other necessary buildings, and open spaces.

Aisle: The traveled way by which cars enter and depart parking spaces.

Alley: See thoroughfare.

Alterations, Structural: Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

Amendment: Any addition to, deletion from, or changes in this Zoning Code, including text and/or map; or in any adopted site plan for a project.

Amusement Arcade: A building or part of a building in which five (5) or more pinball machines, video games, or other similar player operated amusement devices are maintained.

Animal Hospital: Any building or portion thereof designed or used for the care, observation, or treatment of domestic animals.

Annexation: The incorporation of land from an unincorporated area to a municipality.

Antenna: Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building, that includes, but is not limited to, amateur radio antennas, television antennas, and

satellite receiving dishes.

Apartment: See Dwelling, Multi-family.

Applicant: Owner of record or his or her authorized agent, which shall be confirmed in writing.

Aquifer: A geological unit in which porous and permeable conditions exist and thus are capable of yielding usable amounts of water.

Aquifer Recharge Area: An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

Association: A legal entity operating under recorded land agreements or contracts through which each unit owner in a development is a member and each dwelling unit is subject to charges for a proportionate share of the expenses of the organization's activities such as maintaining common open space and other common areas and providing services needed for the development. An association can take the form of a homeowners association, community association, condominium association or other similar entity.

Automotive Fuel Station: Any building or premises used for the dispensing or sale of automobile fuels, lubricating oil or grease, tires, batteries, or minor automobile accessories. Minor automotive services may be rendered.

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

Automotive Service and Repair Shop: The general repair, engine rebuilding or reconditioning of motor vehicles; collision service such as body, frame, fender straightening and repair; and painting of motor vehicles. Services offered may include but are not limited to the changing of motor oil, installation of tires, batteries and minor accessories, minor automobile repairs, the greasing or washing of individual automobiles, and incidental sales of auto parts and supplies.

Automotive Wrecking: The dismantling or wrecking of used motor vehicles, mobile homes, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Bar:

1. *Bar and/or Cocktail Lounge:* Any place devoted primarily to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages.

2. *Tavern*: An establishment serving alcoholic beverages in which the principal

business is the sale of such beverages at retail for consumption on the premises and where foods are available for consumption on the premises.

Basement: A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

Bed and Breakfast Establishment: An establishment within a private residence (single family dwelling unit) that offers sleeping accommodations to lodgers in 7 or fewer bedrooms in return for payment and generally provides only breakfast at no additional cost to its lodgers.

Berm: An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

Board: The Board of Zoning Appeals of the Village of Mantua, Ohio

Boarder/Roomer: Any person except family, who in exchange for compensation, receives meals and/or lodging.

Boarding House, Rooming House, Lodge: A building or part thereof, other than a hotel, motel, or restaurant, where meals and/or lodging are provided for compensation for unrelated persons. These uses shall be characterized by the joint use by the inhabitants, of at least one of the following, kitchen areas, dining room, restroom, and bath area.

Buffer: A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen incompatible land uses from each other or to provide protection for natural features of a site.

1. *Land Use Buffer*: Land area used to separate or visibly shield and/or screen one use from another.
2. *Riparian Buffer*: A naturally vegetated area located adjacent to streams and rivers that is intended to stabilize banks and limit erosion.
3. *Wetlands Buffer*: An area of undisturbed natural vegetation located adjacent to the perimeter of the wetlands.

Buffer Yard: A strip of land, identified within the code, which protects one type of land use from another with which it is incompatible and which strip is normally landscaped and kept in open space.

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

Building Envelope: An area within which a dwelling or other permitted structure is to be placed in compliance with the setback and spacing requirements. A building envelope may or may not be located within a subplot and may or may not have frontage on a public street.

Building Height: The vertical distance measured from the top of the building foundation to the highest point of the roof (ridge line). (See illustration, p. 36) (*Ord. 2009-67, eff. 04-15-10*)

Building Line: A line parallel with and measured from the front lot line, defining the limits of a front yard in which no building or structure may be located above ground, except as provided in this code.

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

Building Setback Line, Front: A line establishing the minimum allowable distance between a street or other right-of-way and any structure as measured from the front property line or right-of-way. (See illustration, p. 37)

Building Setback Line, Side or Rear: A line establishing the minimum allowable distance between a property line and any structure as measured from the property line.

Business, Convenience: Commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities, and grocery stores if less than 10,000 square feet in floor area. Uses in this classification tend to serve the day-to-day needs in the neighborhood.

Business, General: Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend, in addition to serving day to day needs of the community also supply the more durable and permanent needs of the community. General business uses include, but need not be limited to, such activities as supermarkets, stores that sell hardware, apparel, footwear, appliances and furniture; department stores, and discount stores.

Business, Highway: Commercial uses which generally require locations on or near major thoroughfares and /or their intersections, and which tend to serve the motoring public. Highway business uses include, but need not be limited to such activities as fuel stations, truck and auto sales and service, restaurants and motels, and commercial recreation.

Business, Office Type: Quasi-commercial uses which may often be transitional between retail

business and/or manufacturing, such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting. Institutional offices of a charitable, philanthropic, or religious or educational nature are also included in this classification.

Business, Services: Any profit making activity which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes and businesses.

Business, Wholesale: Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

Campground: An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character.

Carryout Restaurant: (See Restaurant, Fast-Food)

Car Wash: Any building, or portion thereof, containing facilities for washing one or more motor vehicles at any one time, using production line methods such as a chain conveyor, blower, steam cleaning device or other mechanical devices; or providing space, water, equipment or soap for the complete or partial cleaning of such vehicles, whether by operator or customer.

Cemetery: 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.

Central Sewer System: Individual units connected to a common sewage disposal system.

Central Water System: Individual units connected to a common water distribution system.

Channel: A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.

Child Day Care: Administering to the needs of infants, toddlers, pre-school children and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four (24) hour day in a place or residence other than the child's own home.

Child Day Care Center: Any place in which child day-care is provided, for 13 or more children at any one time; or any place that is not the permanent residence of the licensee or administrator in which child day-care is provided, for seven (7) to twelve (12) children at any one time. In

counting children for the purposes of this Zoning Code, any children under six (6) years of age who are related to a licensee, administrator, or employee and who are on the premises of the center shall be counted.

Child (Family) Day Care Home, Type A: A permanent residence of the administrator in which child day care is provided for seven (7) to twelve (12) children at one time; or a permanent residence in which child day care is provided 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. In counting children for the purposes of the Zoning Code, any children under six (6) years of age who are related to the provider and who are related to a licensee, administrator or employee and who are on the premises of the type A home shall be counted.

Child (Family) Day Care Home, Type B: A permanent residence of the provider in which child day care is provided for one (1) to six (6) children at one time and in which no more than three (3) children are under two (2) years of age at one time. In counting children for the purposes of the Zoning Code, any children under six (6) years of age who are related to the provider and who are on the premises of the type B home shall be counted. The term Type B Family Day Care Home does not include a residence in which the needs of children are administered to, if all such children are siblings of the same immediate family and the residence is the home of the siblings.

Church: An institution that people regularly attend to participate in or hold religious services, meetings, and other activities. The term “church” shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held.

Clinic: A place used for the care, diagnosis and treatment of sick, ailing, infirmed, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

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

Commercial Entertainment Facilities: Any profit making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges and similar entertainment activities.

Commercial Recreation Facilities, Outdoor: A recreational land use conducted primarily outside of a building, characterized by potentially moderate impacts on traffic, the natural environment, and the surrounding neighborhood, including but not limited to:

miniature golf, skateboard park, swimming pools, batting cages, athletic fields, basketball courts, golf courses.

Common Land: A parcel, or parcels of land, together with the improvements thereon, the use and enjoyment of which are intended to be shared by the owners and occupants of the individual building units in a planned residential, commercial or industrial development.

Comprehensive Development Plan: A plan, or any portion thereof, adopted by the Planning Commission and the Council of the Village of Mantua, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Conditional Use: A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Planning Commission.

Conditional Use Permit: A permit issued by the Zoning Inspector upon approval by the Planning Commission to allow a use other than a principally permitted use to be established within the District.

Condominium: A form of real estate ownership where there is a fee simple ownership of an individual unit and fractional ownership with other persons in the common areas of the project and it is regulated by the provisions of Ohio Revised Code, Chapter 5311.

Congregate Living Facility: Any building, residence or other place at which the operator provides personal services except skilled nursing services for up to 8 persons. Such facilities contain only congregate kitchen, dining and living areas with separate sleeping rooms.

Conservation Development: A contiguous area of land to be planned and developed as a single entity, in which housing units are accommodated under more flexible standards, such as building arrangements and setbacks than those that would normally apply under single-family district regulations, allowing for the flexible grouping of houses in order to conserve open space and existing natural resources.

Conservation Easement: A legal interest in land which restricts development and other uses of the property in perpetuity for the public purpose of preserving the open, natural, agricultural, or rural qualities of the property as authorized by ORC 5301.67-70.

Contiguous: Adjacent to and touching at or along some point or boundary.

Cultural Facilities: Services to the public such as but not limited to: museums, art galleries, and libraries by a public or private, non-profit organization.

Cultural Resources: Sites, structures and artifacts that are associated with our heritage. Their significance is archaeological, historical, aesthetic, architectural or has a local cultural significance.

Cultural Resource District: An area designated by ordinance that may contain one or more archaeological, historic, aesthetic, architectural or culturally significant features and/or landmarks. The Cultural Resource District may have significance because of a collection of structures, artifacts, or sites that may contribute to the overall integrity of the theme, but may have little significance individually.

Day Care Center, Adult: Any place in which day care is provided for adults in need of temporary oversight, and which may include incidental facilities for the preparation and consumption of meals, rest and recreation.

Dead Storage (Mini Self Service Storage Facility): Goods not in use and not associated with any office, retail, or other business use on premise.

Deciduous: A plant with foliage that is shed annually.

Dedication: The transfer of property from private to public ownership.

Density: A unit of measurement; the number of dwelling units per acre of land.

1. *Density, Gross:* The number of dwelling units per acre of the total land to be developed.
2. *Density, Net:* The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses. Net density calculations exclude rights of ways of streets.

Density Bonus: An increase in the number of allowable dwelling units per acre granted for some specific reason or community objective, such as the provision of lower income housing, as provided for in the Zoning Regulations.

District: A portion of the corporate area of the Village, within which certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of the Zoning Code.

Drive-Through Facility: A place of business, sales or service which is laid out and equipped so as to allow its patrons to be served or accommodated while remaining in their automobiles. Drive-through facilities shall exclude Car Washes and Automotive Fuel Stations.

Drive-in Restaurant: (See Restaurant, Drive-In, and Restaurant, Fast-Food).

Dry Cleaning Establishment: A building, portion of building, or premises used or intended to

be used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only in volatile solvents, including, but not limited to petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

Dwelling: Any building or structure which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants, and does not include hotels or motels. (Also see Factory Built Housing)

Dwelling, Dormitory: A building, or part thereof, owned and operated by a school or college, where meals and/or lodging are provided for fees, for three (3) or more unrelated persons.

Dwelling, Industrialized Unit: A factory assembled dwelling unit, which when constructed or placed on the site, is self sufficient, except for necessary preparations for its placement, but not a mobile home. Modular homes must meet the requirements of the Ohio Basic Building Code as adopted by Portage County.

Dwelling, Multi-family: A building, designed and used exclusively by three (3) or more families, living independently of each other.

Dwelling, Attached Single Family: Dwelling units that are structurally attached to one another, side by side, and erected as a single building, each dwelling unit being separated from the adjoining unit or units by a party wall without openings extending from the basement floor to the roof with each unit including separate ground floor entrances, services and attached garages.

Dwelling, Detached Single Family: A detached dwelling unit, designed exclusively for occupancy by one family, situated on a parcel having a front, side and rear yard.

Dwelling, Townhouse: A multiple-family building comprised of attached single-family dwelling units where the units are attached by common firewalls and each unit has at least one (1) separate outside entrance.

Dwelling, Two-Family: A building, designed and used exclusively by two (2) families, living independently of each other.

Dwelling Unit: Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family.

Easement: Authorization by a property owner for the use by another, and for a specified purpose, of any designed part of the owner's property.

Elderly Housing: A dwelling especially designed for use and occupancy of persons who are age

62 or older.

Elderly Persons: Persons who are 62 years of age or older. Families where either the husband or wife is 62 years of age or older.

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

Evergreen: A plant with foliage that remains green year-round.

Facade: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Factory-Built Housing: Factory-built housing means a factory built structure designed for long term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this Code, factory-built housing shall include the following:

1. *Manufactured Home:* Any non-self propelled vehicle transportable in one or more section which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred-twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and which bears a label certifying that is built in compliance with Federal Manufactured Housing Construction and Safety Standards.
2. *Modular Home:* Factory built housing certified as meeting the County or State Building Code as applicable to modular housing. Once certified by the state, modular homes shall be subject to the same standards as site built homes.
3. *Mobile Home:* Any non-self propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so constructed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand five hundred (5,400) pounds and an overall length of thirty (30) feet, and not in compliance with the Federal Manufactured Housing Construction and Safety

Standards Act of 1974.

Family: One or more persons related by blood, marriage or legal adoption, foster care, or other custodial care arrangement, or up to four unrelated individuals living together as a single housekeeping unit, in a dwelling unit.

Farm: A parcel of land used for growing or raising agricultural products, including related structures thereon.

Fence: A barrier constructed to enclose an area for protective screening purposes.

Flea Market: A building or open area in which stalls or sales areas are set aside, and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are homemade, homegrown, handcrafted, old, obsolete, or antique and may include the selling of goods by businesses or individuals who are generally engaged in retail trade, not to include private garage sales.

Flood Plain: That land, including the floodway fringe and the floodway, subject to inundation by the regional flood (100-year interval average frequency). (See illustration, *p. 38.*)

Floodway: The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floodway Fringe: That portion of the flood plain, excluding the floodway.

Floor Area, Gross: The sum of all the horizontal areas of every floor of a building, measured from the interior faces of the exterior walls. Except as otherwise specified, the floor area of a building includes: halls, stairways, elevator, shafts, floor space used for mechanical equipment, attached garages, roofed porches, attics with 7' 10" headroom, and floor area devoted to accessory uses.

Floor Area, Living: The sum of the gross horizontal area of the floors of a residential building, excluding the basement floor areas not devoted to residential use, porches, terraces, garages, or other spaces not in compliance with building code specifications for habitable space.

Floor Area of Nonresidential Building: (To be used in calculating parking requirements.) The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, fitting rooms and similar areas.

Floor Area, Ratio: The total floor areas of a building or buildings on a lot divided by the area of the lot. Example: floor area ratio of 2 on a 10,000 square foot lot allows a developer to have buildings not exceeding 20,000 square feet.

Food Processing: The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

Garage, Private: A detached accessory building or an accessory portion of a principal building for the parking or temporary storage of automobiles, travel trailers, and/or boats of the occupants of the premises, and wherein:

1. Not more than one space is rented for parking to a person not a resident on the premises.
2. No more than one commercial vehicle per dwelling unit is parked or stored.
3. The commercial vehicle parked does not exceed five (5) tons GVW.

Garage, Public: A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles, and in which no service shall be provided for remuneration.

Garage Sales, Lawn Sales, and Rummage Sales: The sale of non-commercial tangible personal property by individuals or nonprofit organizations, which is advertised by any means where the public is or can be made aware of the sale.

Gas Station: See Automotive Fuel Station

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

Grade, Finished: The average level of the finished surface of the ground adjacent to the exterior walls of a building. In the case of earth bermed buildings, the ground adjacent to the berm.

Grade, Natural: The elevation of the undisturbed natural surface of the ground prior to an excavation or fill.

Group Residential Facility: A group residential facility is a community residential facility, licensed and/or approved and regulated by the State of Ohio, which provides rehabilitative or habilitative services. There are two classes of group residential facilities.

1. *Class I:* Any state, federal, or locally approved dwelling or place used as a foster home for children or adults (not including nursing homes) or as a home for the care or rehabilitation of dependent or pre-delinquent children, for the physically handicapped or disabled, or for those with mental illness or development disabilities. A Class I Type A

group residential facility contains six (6) or more residents, exclusive of staff. A Class I Type B group residential facility contains five (5) or less residents, exclusive of staff.

2. *Class II:* Any state, federal, or locally approved dwelling or place used as a home for juvenile offenders; a halfway house providing residential care or rehabilitation for adult offenders in lieu of institutional sentencing; a halfway house providing residence for persons leaving correctional institutions; and residential rehabilitation centers for alcohol and drug abusers, provided that detoxification is expressly prohibited on such premises. A Class II Type A group residential facility contains six (6) or more residents, exclusive of staff. A Class II type B group residential facility contains five (5) or less residents, exclusive of staff.

Hazardous Substances: Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

Health Club: Facilities such as gymnasiums (except public), and private clubs (athletic, health, or recreational, reducing salons, and weight control establishments).

Home Occupation: A business use conducted completely within a dwelling unit, carried on by any member of the immediate family residing on the premises, clearly incidental and secondary to the use of the dwelling for residential purposes.

Homeowners Association: A private, nonprofit corporation or association of homeowners for the purpose of owning, operating, and maintaining various common properties and facilities.

Hospital: A building which maintains an establishment for the medical, surgical, or psychiatric care of bed patients for longer than 24 hours a day for emergency care; which has a minimum of ten patient beds, and an average of 2,000 patient days/year, and which has on duty a registered nurse 24 hours a day.

Hotel or Motel and Apartment Hotel: A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such, it is open to the public as opposed to a board house, rooming house, lodging house, or dormitory.

Household Pet: Animals that are customarily kept for personal use or enjoyment within the home. Household pets shall include but not be limited to domestic dogs, domestic cats, domestic tropical birds, and rodents.

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as

compacted sand, limestone, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

Industrial Park: A planned, coordinated development of a tract of land with two or more separate industrial buildings and related uses. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation, and open space.

Industry, Heavy: A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, Light: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Institution, Human Care: A building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitation, counseling or other correctional services.

Institution, Educational, Religious, and Charitable: Buildings and/or land designed to aid individuals in educational, religious, charitable or other pursuits.

Junk: Waste discarded or salvaged materials, such as: scrap metals, used building material, used lumber, used glass, discarded motor vehicle(s), paper, rags, rubber, cordage, barrels and other similar type materials.

Junk Shop, Junk Buildings, Junk Yards: Any area of at least seventy-five (75) square feet of land, buildings, or structures, whether for private or commercial purposes where waste, discarded or salvaged materials such as scrap metals, used building material, used lumber, used glass, discarded motor vehicles, paper, rags, rubber, cordage, barrels, etc. are sold, stored, or processed; any land used for storing or keeping of two or more junk motor vehicles in the open, on any premises for more than seventy-two (72) hours.

Junk Vehicles: Any vehicle meeting the following characteristics:

1. Extensively damaged. Such damage includes, but is not limited to, any of the following: missing tires, motor or transmission; or
2. Apparently inoperable; or
3. Unlicensed.

Kennel: Any lot or premises on which 2 or more dogs, more than 3 months of age, are bred, for sale or for hunting, or boarded.

Landfill: A disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

Landscaped Buffer or Screen: A continuous landscaped area, designed maintained and used for screening and separation of districts, lots or buildings.

Landscaping: The aesthetic improvement of property through the installation of plant materials, berming, walls and fences, and other decorative features.

Landtrust: A non-profit, tax exempt entity whose primary purpose includes the preservation of open space, natural land, rural land, or agricultural land, and which is permitted to hold conservation easements under ORC 5301.68.

Laundry, Self Service: A business that provides washing, drying, and/or ironing machines for hire to be used by customers on the premises.

Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way except as otherwise authorized in this Code.

Location Map: See Vicinity Map.

Lot: A lot is a parcel of land sufficient in size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required, and having its principal frontage on a public street or private street built to Village standards.

Lot, Minimum Area: The area of a lot that is computed exclusive of any portion of the right-of-way of any public or private street.

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 Line: The mean horizontal distance between the right-of-way line and the rear lot line.

Lot Frontage: The horizontal distance measured between the side lot lines at the street right-of-

way.

Lot Line, Front: The line separating the front of the lot from the street. When a lot or building site is bounded by a public street and one or more alleys or private street easements or private streets, the front lot line shall be the nearest right-of-way line of the public street. (Also see Yard, Front.)

Lot Line, Rear: The rear property line of a lot is that lot line opposite to the front property line.

Lot Line, Side: Any boundary of a lot that is not a front or rear lot line. On a corner lot, a side lot line may be a street lot line.

Lot of Record: A lot that is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded prior to the effective date of this Zoning Code.

Lot Types: (See Illustration, p. 39)

1. *Corner Lot:* A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
2. *Interior Lot:* A lot with only one frontage on a street.
3. *Through Lot:* A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. *Reversed Frontage Lot:* A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
5. *Flag Lot:* A lot with access provided to the bulk of the lot by means of a narrow corridor.

Lot Width: The horizontal distance measured between the side lot lines at the building setback line.

Maintenance Guarantee: A guarantee of facilities or work to ensure the correction of any failures of any improvements required pursuant to this code, or to maintain same.

Major Thoroughfare Plan: The portion of comprehensive plan adopted by the Planning Commission indicating the general locations recommended for arterial, collector, and local thoroughfares.

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

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

Manufacturing, Light: Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust, operating and storing within enclosed structures, and generating little industrial traffic and no nuisances.

Marquee: Any hood or awning of permanent construction projecting from the wall of a building, above an entrance over a street or sidewalk, or portion thereof.

Manufactured Home Park: Any site, or tract of land under single ownership, upon which three or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

Mini/Self Service Storage Facility: A building or group of buildings divided into separate compartments or units leased to individuals, organizations or small business for storage of personal property.

Mobile Home Park: Any site, or tract of land under single ownership, upon which three (3) or more mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

Motel: A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. An automobile court or a tourist court with more than one unit or a motor lodge shall be deemed a motel. (See also Hotel.)

Night Club: A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing is permitted and/or entertainment provided and includes the term "cabaret." (See also Bar.)

Natural Feature: An existing component of the landscape maintained as part of the natural environment and having ecological value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, the natural diversity of plant and animal species, human recreation, reduction of climatic stress and energy costs.

Nonconforming Lot: A lot, lawfully designed and recorded or platted prior to the enactment of this Zoning Code or any amendment hereto, but which does not now

conform to the lot area, width, access or other requirements of the district in which such lot is located.

Nonconforming Structure: Any structure, lawfully designed and constructed prior to the enactment of this Zoning Code or any amendment hereto, which does not now comply with all of the regulations of the Zoning Code or any amendment hereto governing bulk for the zoning district in which such structure is located.

Nudity or State of Nudity: The quality or state of being naked. The appearance of a human bare, unclothed buttock, anus, male genitals, female genitals, or female breasts. The showing of
1) the female or male genitals, pubic area, or buttocks with less than a fully opaque covering, or
2) the female breast with less than a fully opaque covering of any part of the nipple.

Nuisance: Anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

Nursing Home:

1. *Institutional:* A state licensed home or facility for the care and treatment of elderly people on a long-term basis.
2. *Non-Institutional:* A facility licensed or certified to provide domiciliary care for 9 to 16 individuals who are dependent on the services of others by reasons of health, physical or mental impairment (not mental retardation or developmental disabilities) but who do not require skilled nursing care.

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 including products used for gardening and landscaping.

Office: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.

Office Park: A large tract of land that has been planned developed, and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses with special attention given to circulation and parking.

Oil: Crude petroleum oil and all other hydrocarbons, regardless of gravity, that are produced in liquid form by ordinary production methods, but does not include hydrocarbons that were originally in a gaseous phase in the reservoir.

Oil and Gas Wells: All wells as defined herein for the production or extraction or injection of oil and/or gas and/or associated waste brines.

Open Space: An area substantially open to the sky that may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, and tennis courts, any other recreational facilities that the planning commission deems permissive. Street, parking areas, structures for habitation and required side, front and rear yards shall not be included. Bodies of water as well as any area within a designated flood hazard area, may be counted toward up to 50% of the open space area requirements.

Open Space, Common: Open space within or related to a development, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development.

Ornamental Tree: A deciduous tree planted primarily for its ornamental value or for screening purposes; tends to be smaller at maturity than a shade tree.

Outdoor Storage: The keeping of property in an open area of a lot. For the purposes of this definition, the keeping of wood or compost piles will not be considered outdoor storage.

Overlay District: A district described by the zoning map within which, through super imposition of a special designation, further regulations and requirements apply in addition to those of the underlying districts to which such designation is added.

Park: Any public or private land available for recreational, educational, cultural, or aesthetic use.

Parking Lot: An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking. (See also Garage, Public.)

Parking, Shared: The development and use of parking areas on two or more separate properties for joint use by the business on those properties.

Parking Space: An area adequate for parking an automobile with room for opening doors on both sides, exclusive of passageways and driveways giving access to the automobile.

Parking Space, Off-Street: For the purpose of this Code, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Performance Guarantee or Surety Bond: Security provided by the subdivider or developer to the Village of Mantua, for the amount of the estimated construction improvement cost guaranteeing the completion of physical improvement according to plans and specifications in the manner approved by the proper authorities within the time prescribed by the Village.

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

Places of Worship: Structures and other indoor or outdoor facilities used for public worship and related educational, cultural or social activities.

Planned Unit Development: An area of minimum contiguous size specified by this ordinance, to be planned and developed as a single entity and which contains a variety of housing types and one or more other subordinate type of use such as commercial, industrial, or institutional. These uses are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations.

Planning Commission: The Planning Commission of the Village of Mantua, Ohio.

Plat: A map of a subdivision drawn to meet the Village Subdivision Regulations.

Pollution: The contamination or other alteration of the physical, chemical or biological properties of any natural waters of the Village or such discharge of any liquid, gaseous, or solid substance into the air or any water of the Village that will or is likely to create a nuisance or render such air or waters harmful, detrimental or injurious to public health, safety or welfare; to domestic, commercial, agriculture, recreational, or other beneficial uses; or to livestock, animals or aquatic life.

Print Shop: A retail establishment that provides duplicating services using photocopy, blueprint, and offset printing equipment, including collating of booklets and reports.

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

Public Service Facility: The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

Public Uses: Public parks, schools, administrative and cultural buildings and structures, not

including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

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

Quasi-public Use: Churches, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

Recreation Facilities: Public or private facilities that may be classified as either “passive” or “active” depending upon the scope of services offered and the extent of use. Passive facilities generally require and utilize considerable areas of land and include, but need not be limited to activities such as hunting, fishing, hiking, and bike trails. Active facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, baseball fields, swimming pools, and tennis courts.

Also see: Commercial Recreation Facilities, Outdoor.

Recreational Vehicle (RV) Park: Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational vacation purposes.

Recycling Collection Plant: An incidental use that serves as a neighborhood drop off point for temporary storage of recoverable resources. No processing of such items is allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas, such as in churches and schools.

Recycling Facility: A building in which recyclable materials are processed for sale; materials are collected in enclosed containers.

Research Activities: Research, development, and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering.

Restaurant: A business establishment whose principle business is the selling of un-packaged food to the customer in a ready-to-consume state, in individual servings, or in non-disposable containers, and where the customer consumes these foods while seated at tables or counters located within the building. This includes outdoor cafes.

Restaurant, Drive-in: An establishment that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises.

Restaurant, Fast Food: An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven.

Orders are not generally taken at the customer's table and food is generally served in disposable wrapping or containers.

Rest Home (Non-Institutional) See Nursing Home

Retirement Facility: A facility providing living quarters, either owned or rented to persons age 62 years of age or older. Such facility may be a single structure or a group of structures, and may include medical, recreational and commercial services if such services are available and predominantly designed for residents and their guests.

Right-Of-Way: A strip of land that provides or gives others rights of passage, usage or construction by easements, agreements, or dedication. Generally a right of way is dedicated for use as a public way. In addition to roadway, it normally incorporates curbs, sidewalks, lighting, utilities, lawn strips, drainage facilities.

Roadside Stand: A temporary structure designed or used for display or sale of agricultural and related products by the owner or lessee of the property on which it is located. Products sold are from the premises.

Satellite Signal Reception Device: A structure or combination of structures, designed to receive television broadcasts or other signals from earth orbiting communication satellites.

Screening Strip: A strip of land planted with evergreen, shrubs, or other materials to serve as a natural fence, or to limit access of neighboring lots.

Screen: A method of reducing the impact of noise and unsightly visual intrusions with less offensive, or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof. (Also see Buffer Yard)

Seat: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or space for loose chairs.

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

Shade Tree: Usually a deciduous tree-rarely an evergreen-planted primarily for its high crown

of foliage or overhead canopy.

Shopping Center: A grouping of retail business and service uses on a single site with common parking facilities.

Shrub: A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

Sign: 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, business, corporation, or entity, or to communicate information of any kind to the public.

Sign, Awning or Canopy: A sign that is part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

Sign, Banner: A sign of lightweight fabric or similar material that is attached to any structure at one or more edges. National flags, state flags or the official flag of any institution or business shall not be considered banners.

Sign, Changeable Copy: A sign, such as a bulletin board or announcement board, where the message or graphics is not permanently affixed to the structure, framing or background and may be periodically replaced or covered over manually or by electronic or mechanical devices. Includes Electronic Message Board

Sign, Electronic Message Board: Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the creation of change is electronically programmed and can be modified by electronic processes.

Sign, Freestanding: A sign that is permanently anchored from the ground or a structure other than a building. Ground signs and pole signs are freestanding signs.

Sign, Ground: A sign where the entire bottom of the sign is generally in contact with or in close contact to the ground.

Sign Height: The vertical distance measured from the base of the sign or from the base of the building to which a sign is attached to the highest point of the sign.

Sign, Identification: A sign directing attention to an office, institution, building, business,

product, service or activity conducted or sold on the lot where the sign is displayed. Such sign may direct attention by giving the logo, nature, address, trademark or other identifying symbol of the establishment on the premises.

Sign, Illuminated: A sign which has characters, letters, designs or outline illuminated by electric light or luminous tubes as part of the sign proper, or which is illuminated by the reflector method.

Sign, Planter: A free standing sign that utilizes plants, (the majority of which are evergreen) and stone, wood or other building materials to screen the supporting structure of the sign that is designed to embrace the appearance of the building and premises to which it pertains and the community in general as well as to identify and advertise.

Sign, Off-Premises: A sign which advertises goods, services or facilities which are not available on the premises where the sign is located, including, but not limited to, billboards.

Sign, On-Premises: Any sign related to a business or profession conducted, or a commodity or services sold or offered upon the premises where such sign is located.

Sign, Pole: A sign that is supported by a pole or poles that is independent of a building.

Sign, Portable: A freestanding sign that is not permanently anchored, affixed or secured to the ground or to a building, or a sign designed to be transported.

Sign, Projecting: A sign that is suspended from, or is supported by, a building or wall in such a way that its leading edge extends more than twelve (12) inches beyond the face of the building or wall.

Sign, Roof: A sign which is supported, erected or maintained in whole or in part upon or over the roof of a building.

Sign, Surface Area: The area within any perimeter enclosing the limits of lettering, emblems or other figures on a sign, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Structural members bearing no sign copy shall not be included in its surface area. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where the two faces are placed back to back and are at no point more than two (2) feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

Sign, Temporary: A sign that is intended to be displayed for a limited time only. Such

signs include real estate signs, political signs, construction signs, special events signs, and signs and banners announcing grand opening events.

Sign, Wall: A sign that is painted on, incorporated into, or affixed parallel to the wall of a building.

Sign, Window: A sign that is placed inside a window or upon the windowpanes or glass and is visible from the exterior of the window.

Site Plan: The drawing for the development of a parcel, showing appropriate site features, structures, or improvements, as proposed.

Shelter: (See Temporary Shelter.)

Specimen Tree: A particularly impressive or unusual example of a species due to its size, shade, age, or any other trait that epitomizes the character of the species.

Storage Facility, Self-Service: A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customer's goods or wares.

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

Stream Bank or River Bank: The ordinary high water mark of the stream, or river, otherwise known as the bankfull stage of the stream or river channel. Indicators used in determining the bankfull stage may include changes in vegetation, slope or bank materials, evidence of scouring and stain lines.

Street, Private: A local private way that provides vehicular access to structures and uses that is not and will not be dedicated to public use, but which is owned and maintained by an association, generally a homeowners association.

Street, Thoroughfare or Road: The full width between property lines, with a part thereof to be used for vehicular traffic and designated as follows:

1. *Alley:* A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. *Arterial Street:* A general term denoting a highway primarily for through traffic carrying heavy loads and large volume of traffic, usually on a continuous route.
3. *Collector Street:* A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local

streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.

4. *Cul-de-sac*: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnabout.
5. *Dead-end Street*: A street having only one (1) outlet for vehicular traffic.
6. *Local Street*: A street primarily for providing access to residential or other abutting property.

Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Structures include, but are not limited to, buildings, decks, fences, garages, signs and walls. Structures do not include trailers or other vehicles whether on wheels or other supports.

Structure, Accessory: A subordinate building or structure located on the same lot with the principal building, occupied by or devoted to an accessory use, but not to be used for habitation. Where an accessory building is attached to the principal building in a substantial manner, as by a wall or a roof, such accessory building shall be considered part of the principal building.

Subdivision:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll into two or more parcels, sites or lots, any one of which is less than five acres, for the purpose, whether immediate or future, of transfer of ownership, provided that the division or partition of land into parcels of more than five acres not involving any new streets or easements of access and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted, or:
2. The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street, except a private street serving industrial structures; or the division or allocation of land as open space for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other facilities.

Swimming Pool: An in-ground or above-ground structure, chamber or tank containing a body of water for swimming, diving or wading. Excludes portable pools with diameter less than twelve (12) feet or with an area of less than one-hundred (100) sq. ft.

1. *Swimming Pool Family*: A pool as defined above used exclusively by the residents and their non-paying guests of the dwelling unit.
2. *Swimming Pool, Commercial/Club*: A pool as defined above constructed by an association of property owners or by a private club or association, for use and enjoyment by members and their families.

Telecommunication: The technology that enables information to be exchanged through transmission of voice, video, or data signals by means of electrical or electromagnetic systems.

Temporary Residential Unit: A manufactured home that provides housing (for up to one (1) year) to those persons whose dwelling has been destroyed or damaged by a disaster so as to render the dwelling uninhabitable. Said temporary residential unit is to be used only while the permanent dwelling is being replaced, rebuilt, or repaired.

Temporary Shelter: A building operated under the full time supervision of a public or non-profit agency in which emergency lodging and meals are provided for a period generally not to exceed fourteen (14) days.

Transitional Use: A permitted use or structure that by nature or level scale activity acts as a transition or buffer between two or more incompatible uses.

Transportation, Director of: The Director of the Ohio Department of Transportation.

Tree: A large, woody plant having one or several self-supporting stems or trunks and numerous branches. May be classified as deciduous or evergreen.

Truck Terminal: Land and building used as a relay station for the transfer of a load from one vehicle to another or one party to another. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

Use: The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

Use, Accessory: A use located on the same lot with a principal use and which is incidental or subordinate to, and in connection with, the principal use.

Use, Conditional: A use, either public or private, which because of its unique characteristics cannot be properly classified as a permitted use in a particular district or districts.

Use, Existing: Any use of a parcel of land or structure that exists at the effective date of this Zoning Code.

Use, Nonconforming: Any use of any land, building, or structure, lawful at the time of the enactment of this Zoning Code, which does not comply with all of the regulations of this Zoning Code or any amendment hereto governing uses of the zoning district in which such use is located.

Use, Permitted: A use which may be lawfully established in a particular district or districts provided it conforms to all of the requirements, regulations and standards of such district.

Use, Principal: The primary use and chief purpose of a lot or structure.

Use, Temporary: Any use which is established only for a fixed period of time, with the intent to discontinue such use upon the expiration of such time, and which does not involve the construction or alteration of any permanent structure.

Variance: A variance is 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 practical difficulty.

Veterinary Animal Hospital or Clinic: A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirmed, 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.

Vicinity Map: A drawing located on the plat or drawing which sets forth by dimensions or other means, the relationship of the proposed subdivisions or development, or use to the other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

Walkway: An area four or more feet in width, for pedestrian use only, which may or may not be located within a public street right of way.

Warehouse: A building used primarily for the storage of goods and materials.

Warehousing and Distribution: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

Waters of the Village: All streams, ditches, lakes, ponds, marshes, watercourses, waterways,

wells, springs, drainage systems and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through or border upon the Village or any portion thereof.

Well: Any hole or holes, bore or bores, to any depth for the purpose of production, recovery, extraction or injection of any gas or liquid mineral, excluding potable water to be used as such, but including natural or artificial brines and oil filled waters.

Wetland: An area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that, under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. -Wetlands generally include swamps, marshes, bogs and similar areas. The three criteria that must exist on a site for an area to be designated a wetland are: hydric soils, hydrophytic vegetation, and wetland hydrology.

Wireless Telecommunication Facility: A facility, consisting of equipment, structures, parking area, and accessory development, involved in transmitting and/or receiving electromagnetic signals.

Colocation: The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

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

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

Wireless Telecommunication Equipment Shelter: The structure in which the electronic and receiving and relay equipment for a wireless telecommunication facility is housed.

Wireless Telecommunication Services: Licensed wireless telecommunication services, including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

Wireless Telecommunications Tower: Any structure, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of supporting one or more antenna, or similar apparatus.

Wireless Telecommunication Tower, Multi-User: A tower to which is attached the antennas of more than one wireless telecommunication service provider or governmental

entity.

Wireless Telecommunication Tower, Single User: A tower to which is attached only the antenna of a single user, although the tower may be designed to accommodate the antennas of multiple users as requested in this ordinance.

Woodlands Existing: Existing trees and shrubs of a number, size and species that accomplish the same general function of new plantings.

Yard: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward, provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.
(See Lot Terms Illustration)

1. *Yard, Front:* A yard extending between side lot lines across the front of a lot line to the front of the principal building.
2. *Yard, Rear:* A yard extending between side lot lines across the rear of the lot and from the rear lot line to the rear of the principal building.
3. *Yard, Side:* A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

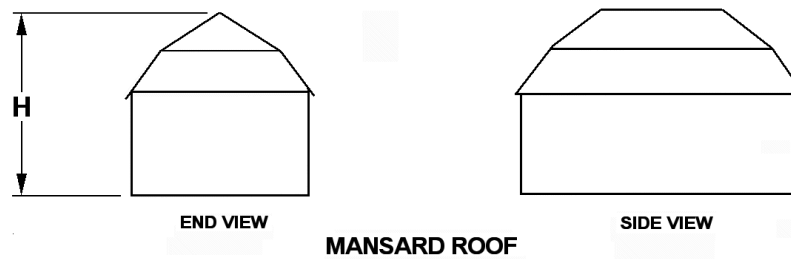
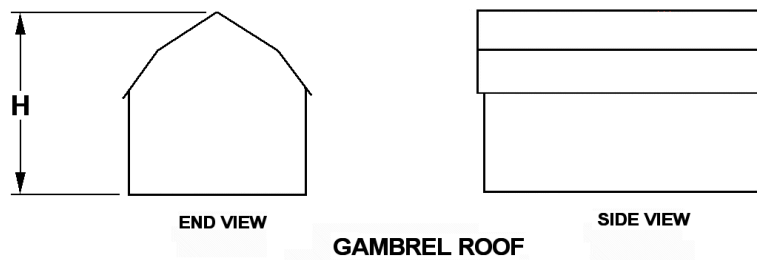
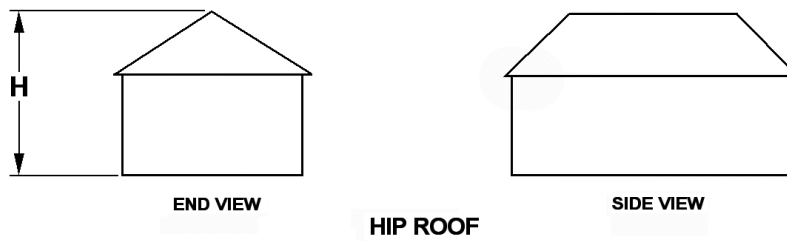
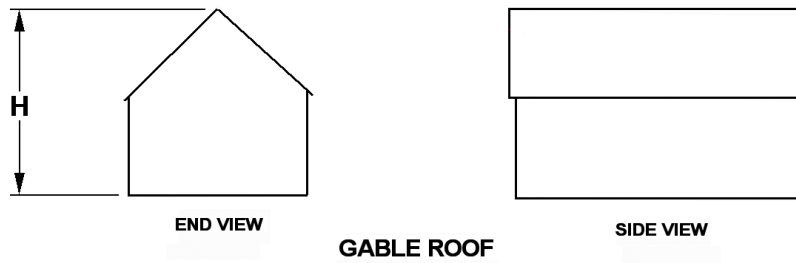
Zero Lot Line: An arrangement of buildings on adjoining lots where the exterior wall of a building is located on the lot line on at least one side, thereby providing zero yard on that side.

Zoning Inspector: The person designated by the Mayor with the approval of Village Council to enforce the provisions of this Zoning Code.

Zoning Map: The official Zoning District Map that shows the boundaries of zoning districts within Mantua Village.

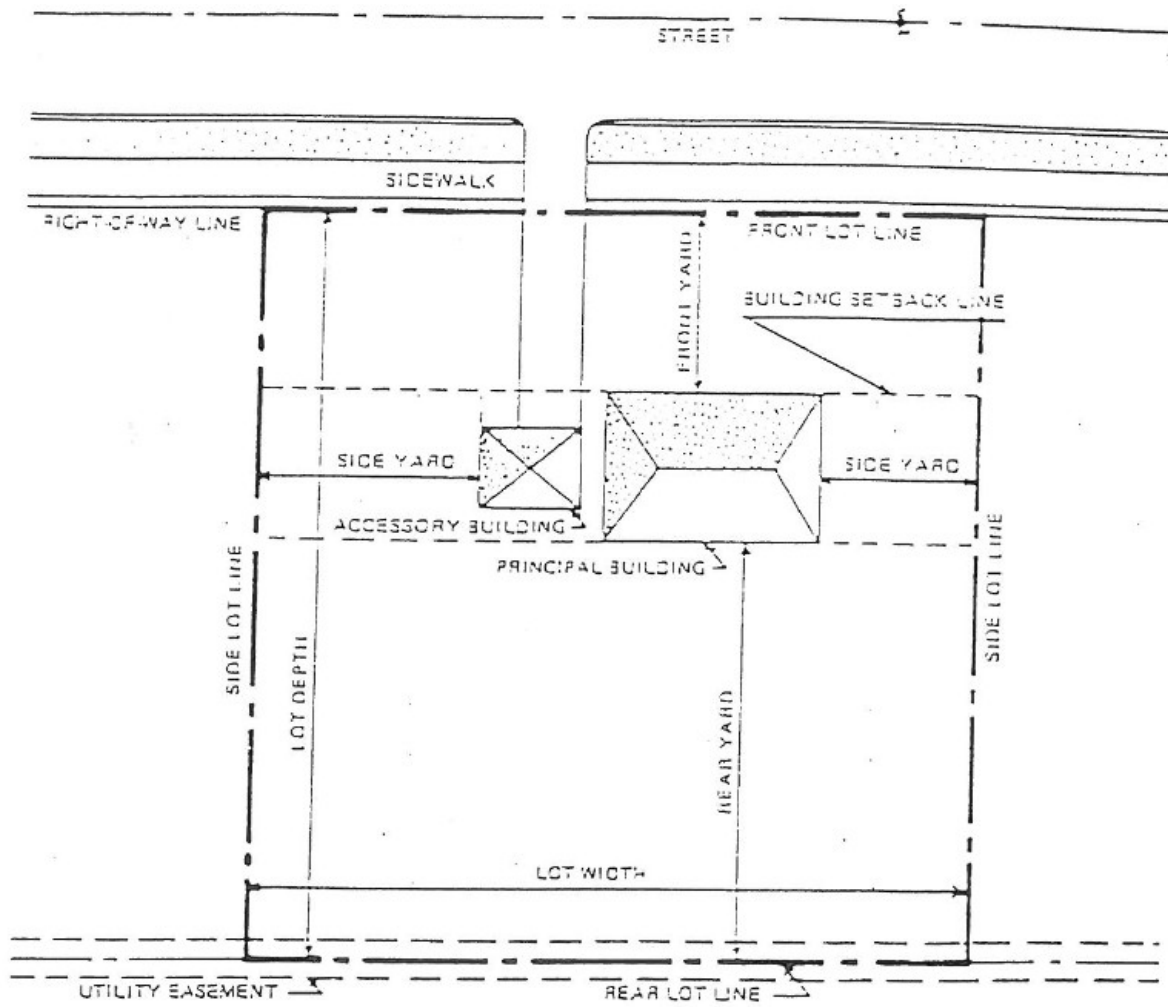
Zoning Permit: A document issued by the Zoning Inspector authorizing the use of lots, structures, used of land and structures, and the characteristics of the uses.

"Exhibit A"
H = HEIGHT OF BUILDING



ROOF TYPES AND BUILDING HEIGHT

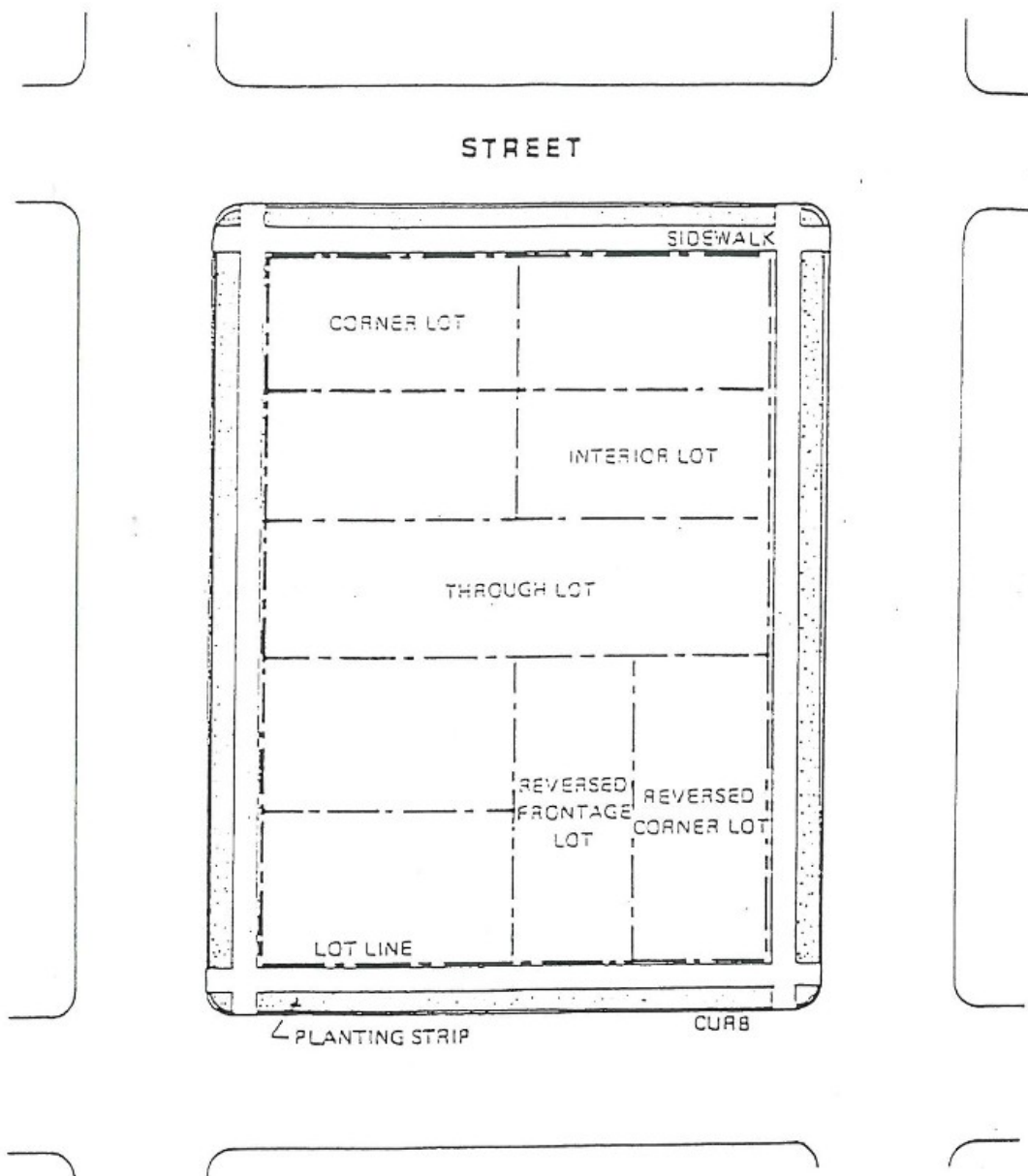
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LOT AREA= TOTAL HORIZONTAL AREA

LOT COVERAGE= PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS



TYPES OF LOTS