

## **CHAPTER 1102**

### **DEFINITIONS**

#### **WORDS IN GENERAL**

For the purposes of this Zoning Code, certain words and terms are herewith defined.

Words used in the present tense include the future tense; the singular number includes the plural, and the plural includes the singular; the word lot includes the word plot or parcel; the words shall or must are always mandatory; the word may is permissive; the words used or occupied include the words arranged, intended, or designed to be used or occupied; the words building or structure include the words or portion thereof; the word located includes the words erected and altered.

The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

#### **ACCESSORY USE OR STRUCTURE**

An accessory use or structure is a subordinate use or structure customarily incidental to the main use or structure. Such accessory use or structure shall be located on the same lot occupied by the main use or building, with the exception of those specific instances listed in this code. An accessory use may include parking areas, driveways, and other required facilities.

#### **AGRICULTURE**

The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, forestry, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce, provided that the operation of such accessory use shall be secondary to that of the normal agricultural activities, and provided that the above uses shall not include the commercial feeding of garbage or offal to swine and other animals. A use shall be classified as agricultural only if agriculture is the principal or main use of the land.

#### **ALLEY**

Alley means a public way which affords only a secondary means of access to abutting property.

#### **ALTERATION**

Alteration, as applied to a building or structure, means a change or rearrangement in the structural parts or in the exterior facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

**APARTMENT**

An apartment is a dwelling unit in a multifamily structure which is intended for occupancy as a single family residence.

**APARTMENT HOUSE**

An apartment house is a building composed of three or more dwelling units.

**APPEAL**

Appeal is an appeal to the Board of Zoning Appeals under Chapter 1119 of this Zoning Code.

**APPLICATION**

Application refers to any application provided for in this ordinance.

**AUTOMATIC AUTOMOBILE LAUNDRY**

An auto laundry having more than one stall or of the production line type.

**AUTOMOBILE WRECKING YARD**

The use of more than twenty-five (25) square feet of any land, building or structure used for the purpose of wrecking, dismantling or storage and dismantling of any discarded motor vehicle which is being salvaged for parts or scrap for recycling for either private or commercial purposes.

**AWNING**

Any structure with a frame, attached to a building and projecting over a sidewalk, when the same is so erected as to permit its being raised to a position flat against the building when not in use.

## **BASEMENT**

A story having more than one-half (1/2) of its height below average finished grade. A basement shall not be counted as a story for the purpose of height regulations.

## **BASEMENT HOUSE**

A basement, without another story above, in which there are cooking facilities and sleeping quarters.

## **BED AND BREAKFAST**

A residence where rooms are rented and breakfast is served to nonlocal overnight guests. Rooms may not be rented for more than five (5) consecutive days to any one guest.

## **BILLBOARD**

See Outdoor Advertising Display.

## **BOARD OF ZONING APPEALS**

The Board of Zoning Appeals of the City of Orrville as established pursuant to the ordinances of the City of Orrville.

## **BOARDING HOUSE**

A building where, for compensation, lodging and meals are provided for at least three (3) but not more than twenty (20) persons.

## **BREEZEWAY**

A structure for the principal purpose of connecting the main building on a property with other main or accessory buildings. Such structures may not be more than sixteen feet (16') high maximum at the ridge. It may be either enclosed or left open.

## **BUILDING**

A building is any structure used for the support, enclosure, shelter, or protection of persons, animals, chattels or property.

## **BUILDING COVERAGE**

The land area covered by all buildings on a lot including all projections except eaves.

## **BUILDING LINES**

The line defining the minimum front, side, and rear yard requirements outside of which no building or structure may be located, except as otherwise provided herein.

**BUILDING, PRINCIPAL**

The building or buildings on a lot used to accommodate the primary use to which the premises are devoted.

**BUILDING SIGNS**

A sign which identifies the business or profession conducted or the principal products sold upon the premises.

## **CANOPY**

A noncollapsible structure, as opposed to an awning, with frames, attached to a building, projecting over a sidewalk.

## **CARPORT**

A covered automobile parking space not completely enclosed by walls or doors. A carport shall be subject to all the provisions prescribed in these regulations for a private garage.

## **CENTRALIZED WATER SYSTEM**

A system where individual lots are connected to a common water distribution system whether publicly or privately owned and operated.

## **CERTIFICATE OF OCCUPANCY**

Official authorization to occupy premises, affirming that the use and conditions of a new building or an existing building undergoing change are consistent with the zoning ordinance of the city. No property can be occupied unless a certificate of occupancy is issued or if the certificate is revoked.

## **CHILD DAY CARE CENTER**

Any place in which administering to the needs of a total of thirteen or more 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-hour day in a place or residence other than the child's own home. Child day-care center shall include locations where child day-care is provided for thirteen or more children. Child day-care center shall not include A@or A@Type B@family day-care homes as defined in Ohio Revised Code Chapter 5104. (Ord. 89-99, Passed 12-20-99.)

## **CHURCH**

A church which shall include chapels, temples, and synagogues, is a building used as a place for the public exercise of religion, including facilities for associated social or charitable functions, such as day care centers or nursery schools.

## **CLINIC**

Any building or other structure devoted to the diagnosis, treatment, and care of human outpatients.

## **CONDOMINIUM HOUSING**

Condominium housing is a multiple-family dwelling in which each dwelling unit is owned (or financed) by the occupant or the occupant's lessor, but in which the common halls, entrances, drives, and underlying lands are owned jointly by the owners of all dwelling units. For the purposes of this Zoning Code, all regulations applying to a two-family dwelling shall also apply to a two-unit condominium.

Likewise, all regulations applying to a multifamily house shall also apply to a condominium of three units or more.

**CONVENIENCE STORE**

A store which sells primarily convenience items to the general public. Self-service gasoline sales may be permitted if approved by the Planning Commission.

**COUNCIL**

The City Council of the City of Orrville.

**COURT**

An open, unoccupied and unobstructed space surrounded by a building or group of buildings.

**CURB LEVEL**

The curb level is the mean level of the curb, or established grade, in front of the structure.



## **DENSITY**

The number of families residing on, or dwelling units developed on, a gross acre of land.

## **DISTRICT**

A section or sections of the incorporated territory of the City of Orrville for which the regulations governing the use of buildings and premises or the height and area of buildings are uniform.

## **DWELLING**

Any building, or portion thereof, which is designed or used primarily for residential purposes, including single family, two family, or multifamily but not including hotels, motels, boarding houses, lodging houses, and tourist dwellings. An attached garage for purposes of determining the front, side and rear yards, shall be considered a part of the dwelling.

## **DWELLING, ATTACHED**

A group of two or more single family, two family, or multi-family dwelling units which are generally joined to one another by a common party wall, and/or connecting permanent structures such as roofs, breezeways, carports on adjoining individual lots, or touch or abut one another at the point of a corner or any other points. Each dwelling shall have its own outside entrance(s); architectural facades or treatment of materials shall be varied from one single-family, duplex or multi-family building to another so that each dwelling maintains a separate architectural identity from the building it is attached to. For the purchase of this zoning code, single family, two family and multi-family attached dwellings shall only be permitted or conditional uses in cluster subdivisions and planned unit developments. (Ord. 36-00, Passed 7-17-00.)

## **DWELLING, DETACHED**

A single family, two family or multi-family dwelling which is entirely surrounded by open space or yards on the same lot. For the purpose of this code, detached single family, two family and multi-family dwellings shall not include those single family, two family or multi-family dwellings which touch or abut one another at the point of a corner or any other point(s). Only in cluster subdivisions and planned unit developments shall detached dwellings include those single family, two family or multi-family dwellings which have a zero setback from one or more lot lines, but which do not share a common party wall and are not connected by roofs, garages, carports, breezeways, maintenance-storage or utility structures to the dwelling(s) on the adjoining lot(s). (Ord. 36-00, Passed 7-17-00.)

## **DWELLING, MOBILE HOME**

A structure intended for residential use, which is designed to permit its conveyance upon a public street by means of integral structural elements consisting of a permanent chassis attached to an axle(s), wheels, and towing hitch. This includes, but is not limited to, any structure defined as a “manufactured home” under the provisions of the Manufactured Housing Construction and Safety Standards Act of 1974, and any amendments thereto or regulations in supplement thereof, whether or not the design of the

structure has been approved and/or certified by the U.S. Department of Housing and Urban Development (HUD).  
(Ord. E-03, Passed 3-17-03.)

### **DWELLING, MODULAR HOME**

A structure intended for residential use, which is constructed or manufactured partially at an off-site facility then transported to a permanent site where its construction is completed. This includes, but is not limited to, structures without permanent integrated chassis, which are variously described as “precut”, modular, or “panelized” homes, or any structures, which are constructed at one location and transported to another to be permanently placed. (Ord. E-03, Passed 3-17-03.)

### **DWELLING, MULTIFAMILY**

A dwelling designed for or occupied by three (3) or more families living independently from each other in separate dwelling units.

### **DWELLING, SINGLE FAMILY**

A detached dwelling designed for or used exclusively for residential purposes by one family.

### **DWELLING, TWO-FAMILY**

A detached building designed for, or converted or occupied exclusively by two families living independently of each other.

### **DWELLING UNIT**

One or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping, eating and with bathroom facilities.

### **ERECT**

Erect means to construct or allow to be constructed, and includes the word expand, but it shall not include any activity when performed as incidental to the change of advertising message or normal maintenance of a sign or sign structure.

### **ESSENTIAL SERVICES**

The erection, construction, alteration, or maintenance by public utilities or municipal departments, or commissions, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communications, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduit, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings, reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare, or wireless telecommunications

facilities for cellular and PCS communications. (Ord. 55-97. Passed 9-15-97).

**FAMILY**

A collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing nontransient domestic character and who are cooking and living as a single non-profit housekeeping unit. This definition shall not include any society, club, fraternity or sorority, association, lodge, organization or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or other similar definable period. Groups occupying a board house, lodging house, hotel or tourist dwelling shall not be classified as a family. (Ord. 89-99, Passed 12-20-99.)

**FENCE**

A barrier constructed so as to contain or enclose an area as a protective measure.

**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 center line of common walls separating two (2) buildings. Floor area, for the purposes of these regulations, shall not include basement, garage, elevator, and stair bulkheads, attic space, terraces, breezeways, open porches, and uncovered steps.

**FRONTAGE**

The length of a property parcel adjacent to and contiguous with the line of the principal street.

## **GARAGE, PRIVATE**

An accessory building or an accessory portion of the main building, enclosed on all sides and designed or used for the shelter or storage of passenger vehicles and located on the same lot as the dwelling to which it is accessory.

## **GARAGE REPAIR SHOP**

A garage repair shop is a use of premises for repairs of a major type to motor vehicles. Repairs of a major type are defined to be, but shall not necessarily be limited to, the following: body, fender, clutch, transmission, differential, axle, spring, and/or frame repairs; overhauling of engines or motors requiring the removal of the cylinder head or crank case pan; repairs to radiators requiring the removal thereof; and/or painting other than minor incidental work generally referred to as retouching.

## **GASOLINE SERVICE STATION**

A gasoline service station or gasoline filling station is a use of premises primarily for the retail sale of gasoline, oil, grease, batteries, tires, accessories, and other products for the use of the automobile. Also permitted are the rendering of services and making of adjustments, replacements, and repairs to motor vehicles except those confined to a garage repair shop (see above), and the washing, waxing, and polishing of motor vehicles when not done automatically and when clearly incidental to other permitted services.

## **GRADE, FINISHED**

For structures or buildings on land abutting one (1) street only, the elevation of the sidewalk at the center of the structure or building wall facing the street (or the elevation of the center line of the street where no sidewalk exists); for structures or buildings walls facing more than one (1) street, the average elevation at the center of the structure or building walls of all walls facing the streets; for buildings having no walls facing the streets; the average level of the finished surface of the ground adjacent to the exterior of the structure or the building. Any building wall approximately parallel to a street line is to be considered facing a street.

## **GROSS ACRE**

Land area (43,560 square feet), measured on the horizontal plane, and including land occupied by all natural and man-made features of the landscape.

## **GROUPED COMMERCIAL DEVELOPMENT**

A grouping of three (3) or more commercial establishments which have common vehicular parking facilities, controlled access to abutting streets, and are developed under a unified site plan.

## **GUEST HOUSE OR ACCESSORY LIVING QUARTERS**

Living quarters located on the second floor of a private garage for the use of persons employed on the premises, or for the temporary use by guests of the occupant(s) of the premises. Such quarters shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling.

## **HEIGHT OF A BUILDING**

The height of a building is the vertical distance measured in the case of flat roofs from the average finished grade to the level of the highest point of the roof beams adjacent to the street wall, and in the case of pitched roofs, from the finished grade to the highest point of the gable. Where no roof beams exist or where there are structures wholly or partly above the roof, the height shall be measured from the average finished grade to the level of the highest point of the building.

## **HIGHER EDUCATION**

The facilities housing an accredited two or four year degree-granting college, university, or technical school.

## **HIGHWAY ADVERTISING DEVICE**

A highway advertising device includes any outdoor sign, advertising display, device, figure, painting, drawing, message, placard, poster, billboard, or any other contrivance designed, intended, or used to advertise or to give information in the nature of advertising, or any part thereof, which advertisement is visible from the traveled way of any limited access highway, controlled access highway, expressway, or highway on the interstate system or primary system in this state.

## **HOME IMPROVEMENT CENTER**

A retail establishment that sells general hardware supplies, appliances, and building materials for home maintenance and improvement.

## **HOME OCCUPATION**

Home occupation is an occupation conducted in a dwelling unit.

## **HOSPITAL**

Any building or other structure containing beds for at least four (4) patients, where medical diagnosis of humans is carried out and where the ill or injured may receive medical, surgical or psychiatric treatment.

## **HOTEL OR MOTEL**

Hotel or motel means every structure kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests.

## **JUNKYARD/SALVAGE YARD**

A junkyard is the use of more than fifty (50) square feet of any land, building, or structure, whether for private and/or commercial purposes, where waste, discarded or salvaged materials such as scrap metals, used building materials, used lumber, used glass, discarded motor vehicles, auto wrecking, paper, rags, rubber, cordage, barrels, etc., are sold, stored, bought, exchanged, baled, packed, sorted, disassembled, dismantled, or handled.

## **KENNEL**

A business establishment for purposes of breeding, boarding and the provision of other services for dogs and other domesticated animals.

## **LANDSCAPE BUFFER/SCREENING STRIP**

A strip of land to be used as a planting strip on which shall be placed evergreen, hedge, shrubbery, and other planting materials maintained in a neat and orderly manner. Requirements for the landscape buffer strip/screening strip are listed in Section 1103.26.

## **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, alley, or other appropriate means of access.

## **LODGING HOUSE**

A building where lodging only is provided for compensation for three (3) or more, but not more than ten (10) persons.

## **LOT**

- A. A lot is a parcel of land, including any building and the accessory buildings or uses customarily incidental to it, including such yards and open spaces required by this zoning code, except land occupied by streets, alleys, or public thoroughfares. A lot is the land shown as a lot on a plat, recorded survey map, or described by metes and bounds, for the purpose of sale, lease or the creation of a building site, and filed in the office of the county recorder.
- B. A corner lot is a lot at the junction of and fronting on two or more intersecting streets.

## **LOT COVERAGE**

The portion of the lot area that is covered by buildings.

**LOT DEPTH**

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

**LOT, DOUBLE FRONTAGE**

A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.

**LOT LINE**

A lot line is the line bounding a lot as defined in this Zoning Code.

**LOT, INTERIOR**

A lot other than a corner lot.

**LOT LINES**

The property lines defining the limits of a lot.

**LOT LINE, FRONT**

The line separating a lot from the street on which the lot fronts.

**LOT LINE, REAR**

The lot line opposite and most distant from the front lot line.

**LOT LINE, SIDE**

Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line; a side lot line separating a lot from another lot or lots is called an interior side lot line.

**LOT OF RECORD**

A lot which is a part of a subdivision, the map of which has been recorded in the Office of the Recorder of Wayne County; or a parcel of land, the deed to which was of record on or prior to the effective date of these regulations.

**LOT, WIDTH OF**

The width measured along the minimum building setback line.

## **MAINTAIN**

Maintain means to preserve, keep in repair, continue, allow to exist, or restore if damaged or destroyed.

## **MAJOR RECREATIONAL EQUIPMENT**

Boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cars or buses used for transporting recreational equipment, whether or not occupied by such equipment.

## **MINIMUM BUILDING SETBACK LINE**

A line parallel to the street right-of-way line and at a distance therefrom equal to the required depth of the front yard, and extending across the full width of the lot. Where the right-of-way line is not established, the right-of-way shall be assumed to be sixty (60) feet. Where a major thoroughfare or collector thoroughfare is designated on the Land Use and Thoroughfare Plan, the setback line shall be measured from the proposed right-of-way line.

## **MINIMUM LIVING FLOOR AREA**

Minimum living floor area means the living floor area and shall consist of areas such as living rooms, bedrooms, bathrooms, dining rooms, rooms for cooking, dens, libraries, and family rooms; but shall not include areas such as porches, breezeways, terraces, recreation rooms, utility rooms, garages and basements.

## **MOBILE HOME PARK**

Mobile home park means any tract of land upon which two or more mobile homes used for habitation are parked, either free of charge or for revenue purposes and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

## **MORTUARY**

An establishment for the care and preparation of the deceased human body for burial or funerals with accommodations permitted for one, one-family living quarters in any part of the building, to exclude crematories. This definition does not include churches as defined previously.

## **MOTOR VEHICLE**

A motor vehicle is an automobile, bus, truck, trailer, recreational vehicle, motorized bicycle, or similar transportational device, or any other motor vehicle as defined in the Ohio Revised Code.

## **NONCONFORMING DEVELOPMENT**

A nonconforming development is a use that is not listed in the subdivision of uses for the use district in which it is situated, but which was legally existing prior to enactment of this Zoning Code or amendments thereto.

## **NURSING HOME**

Nursing home means a home used for the reception and care of three or more individuals who by reason of illness or physical or mental impairment require skilled nursing care and for individuals who require personal assistance but not skilled nursing care.

## **OPEN SPACE**

Open space means an area of land which is in its natural state, or is developed only for the raising of agricultural crops, or for public outdoor recreation.

## **OUTDOOR ADVERTISING DISPLAY**

Outdoor advertising display means a fixed or portable appliance, structure, or surface, including the supporting structure made necessary thereby, which is erected upon the ground, on the wall of a building, or above the roof of a building, and which is used and erected for the public display of posters, painted displays, electrical displays, pictures or other pictorial or reading matter, for the benefit of a person, organization, business, or cause, not residing or located on the lot or in the building where the appliance, structure or surface is erected.

## **PARKING OR STORAGE OF AN INOPERATIVE OR UNLICENSED VEHICLE ON PRIVATE PROPERTY**

Parking or storing, or permitting the parking or storing of an inoperative or unlicensed motor vehicle upon private property for more than fifteen (15) consecutive days is prohibited unless such motor vehicle is obscured from public view in a garage or other building.

## **PARKING SPACE**

An off-street space or berth for the parking of a vehicle.

## **PHARMACY**

A limited commercial outlet where only drugs, medicines, or similar medical/prescription related items are dispensed to patients or customers (as opposed to a drug store, which may engage in the sale of a relatively wide range of small consumer convenience items).

## **PLANNED UNIT RESIDENTIAL DEVELOPMENT**

A planned, integrated residential development of at least twenty-five (25) acres where minimum lot size and dwelling type may be modified somewhat to achieve particular design objectives and the economical provision of open space and utilities while maintaining the same overall density limitations of the district in which the planned unit residential development is located and complying with other pertinent requirements of this ordinance and site design requirements of the Planning Commission.

## **PLANNING COMMISSION**

The Planning Commission of the City of Orrville, Ohio.

## **PREMISES**

The premises is a developed lot of record including any buildings and the accessory uses and structures thereon.

## **PRIVATE RECREATION FACILITIES**

Recreational facilities which are privately owned by an individual, corporation, institution or organization, and which may be a nonprofit or for profit operation. Such operations are not publicly subsidized.

## **PUBLIC NOTICE**

Public notice of a public hearing, provided for by this Zoning Code, means notice of the time, date, place, and nature of such hearing, published once in one newspaper of general circulation in the city.

## **PUBLIC, PRIVATE, OR PAROCHIAL SCHOOL**

Any school providing instruction at the K-12 level which meets certification requirements of the Ohio Department of Education.

## **PUBLIC UTILITY**

Any person, firm, corporation, governmental agency or board fully authorized to furnish and furnishing to the public, electricity, gas, steam, telephone, telegraphy, cable television, transportation, water and sanitary sewers, or any other similar public utilities.

## **QUARRY, SAND PIT, GRAVEL PIT, PEAT OR TOPSOIL REMOVAL OR PROCESSING**

Quarry, sand pit, gravel pit, peat or topsoil removal or processing is any land use, the purpose of which is the extraction of stone, silica rock, sand, gravel, peat, or topsoil for sale or processing, as an industrial operation or where soil is to be sold upon removal. Such use does not include the process of grading a lot preparatory to construction of a building, for which a building permit has been issued.

## **QUASI-PUBLIC USES**

Quasi-public uses mean uses operated by private individuals or groups of individuals but with only limited public control or accessibility, such as charitable organizations, churches, private schools, private golf clubs, cemeteries, lodge halls, fraternal organizations and the like.

## **RECIPROCAL EASEMENT**

An easement present or existing on two or more adjacent parcels.

## **RECYCLING CENTER**

A center where metal cans, paper, plastic, glass and other consumer products, as approved by the Planning Commission, are gathered and sorted.

## **REST HOME**

Rest home means a home that provides personal assistance to six or more individuals who are dependent on the services of others by reason of age or physical or mental impairment but who do not require skilled nursing care.

## **RESTAURANTS**

- A. Restaurant means a single retail business operation where the preparation and serving of food and beverages is designed primarily for consumption by customers seated within the establishment.
- B. Carry out or delivery restaurant means a single retail business operation where the food and beverage products purchased by the consumer are packaged in such a manner as to enable the customer to remove them for consumption off the premises. Such an operation does not have a drive-in window or facilities within the premises for customers to sit or stand while consuming the food purchased.
- C. Drive-in restaurant refers to a restaurant which maintains a drive-in window designed to enable customers to drive up to it and order food and beverages while in their automobile. Food and beverage items are served directly to the customers in the vehicle and taken elsewhere for consumption.

## **ROADSIDE PRODUCE STANDS, TEMPORARY**

A removable structure used or intended to be used solely by the owner or the tenant of a property on which it is located for the sale of seasonal agricultural products and to be removed and stored back of the building line on the property or off the property at the conclusion of the seasonal sales. No illuminated signs shall be used to advertise such products.

## **ROOMING HOUSE**

A building or part thereof (other than a hotel, motel or restaurant where meals and/or lodging are provided for compensation) for three or more unrelated persons where no cooking or dining facilities are provided in individual rooms. The term rooming house includes a boarding house, and the word roomer includes a boarder.

## **SIGN**

Any structure, natural object, or device which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business, or which shall display or include any letter, word, banner, flag, pennant, insignia, device or representation used as, or which is, in the nature of an announcement, direction or advertisement.

## **SIGN, AREA OF**

That area which is normally visible from any one direction (example: a rectangular sign four (4) feet by five (5) feet with a display on both sides shall be considered to be twenty (20) square feet).

## **SIGNS, ILLUMINATED**

Any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as a part of the sign proper.

## **SIGNS, PROJECTING**

Any sign which is attached to a building or other structure which extends beyond the line of the said building or structure or beyond the surface of that portion of the building or structure to which it is attached.

## **SIGN, ROOF**

Any sign erected, constructed and maintained wholly upon or over the roof or parapet wall of any building with the principal support of the roof structure.

## **SIGN, WALL**

Any sign, painted on, attached to or erected against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.

## **SITE**

A space of ground occupied or to be occupied by a building.

## **STREET, PUBLIC**

A public thoroughfare which has been dedicated to the public use and accepted by the city or subject to public easements thereof.

## **STREET, PRIVATE**

A street which has not been dedicated to public use or subject to public easements thereof, which provides access to more than one property.

**STREET, RIGHT-OF-WAY LINES**

A dividing line between a lot, tract or parcel of land and a contiguous street. Where the lot, tract or parcel of land has been conveyed to the center of the street, the street right-of-way line then becomes the inside line of land reserved for street purposes.

**STRUCTURE**

Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including advertising signs, billboards, transmission towers for radio, television, telephones, pergolas, but not including fences or walls used as fences.

**STRUCTURAL ALTERATIONS**

Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any increase in the area or cubical content of the building.

**SUBDIVISION**

Subdivision means 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.

**SWIMMING POOL, FAMILY**

A swimming pool is an accessory use if used, or intended to be used, solely by the owner or lessee thereof and his family, and/or by friends invited to use it without payment of any fee.

**TOURIST HOME**

Tourist home means a dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

**TRAILER**

A vehicle, whether resting on wheels, jacks or other foundations and used or so constructed to permit its being used as a conveyance or towed upon a public highway. (Ord. E-03, Passed 3-17-03.)

## **USABLE OPEN SPACE**

Usable open space is that portion of a lot not devoted to building, driveway, or parking coverage. The least dimension of usable open space shall not be less than ten (10) feet.

## **USED CAR LOT**

Any lot on which two (2) or more motor vehicles (which have been previously titled in a name other than the manufacturer or dealer) in operating condition are offered for sale and displayed to the public.

## **VARIANCE**

A variance is the provision of relief from the terms of the zoning ordinance.

## **VISIBLE**

Visible means capable of being seen, whether or not legible, without visual aid by a person of normal visual acuity.

## **YARDS**

- A. A front yard is an open, unoccupied space on the same lot with a building, between the furthest extremity of the building and the front line of the lot excluding uncovered front steps.
- B. A rear yard is an open, unoccupied space on the same lot with a building, between the furthest extremity of the building and the rear line of the lot. On a corner lot, the owner may determine which of the lot lines, not a street line, shall be regarded as the rear line.
- C. A side yard is an open, unoccupied space on the same lot with a building, situated between the furthest extremity of the building and the side line of the lot and extending through from the street or from the front yard to the rear yard or to the back line of the lot. Any lot line not a rear line or a front line shall be deemed a side line. (Ord. 78-95. Passed 12-4-95.)
- D. Ramps for wheelchair users are excluded from the setback requirements contained herein. (Ord. 48-96. Passed 9-3-96.)

## **ZONING CODE**

Zoning Code means Chapters 1101 through 1123 of the Codified Ordinances of the City of Orrville.

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