

LAKE TOWNSHIP ZONING RESOLUTION

A **RESOLUTION**, for the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and facilitate adequate but economical provision of public improvements, all in accordance with the Land Use Plan, the Board of Trustees of this Township finds it necessary and advisable to regulate the location, size and the use of buildings and other structures, including tents, cabins, and trailer coaches; percentages of lot areas which may be occupied; set-back building lines; sizes of yards, courts and other open spaces; and the uses of land for trade, industry, residences, recreation or other purposes, and for such purposes, divides the area of the Township into districts or zones.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LAKE TOWNSHIP, WOOD COUNTY, STATE OF OHIO:

ARTICLE I. TITLE

This Resolution shall be known and cited as the November 16, 1961, Zoning Resolution of Lake Township.

1. Revised: June 27, 1963
2. Revised: January 19, 1987
3. Revised: December 3, 1990
4. Revised: November 2, 1998
5. Revised: August 21, 2001
6. Revised: February 19, 2002

ARTICLE II. DEFINITIONS

For the purpose of this Resolution the following words and terms shall be interpreted and defined in accordance with the provisions set forth in this Article II.

SECTION A. RULES OF INTERPRETATION

The following general rules of interpretation shall apply:

1. The particular controls the general.
2. In case of any difference of meaning or implication between the text of this Resolution and the captions for each section the text shall control.
3. The word "shall" is always mandatory and not directory. The word "may" is permissive.
4. Words used in the present tense include the future, unless the context clearly indicates the contrary.
5. Words used in the singular number include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.
6. A "building" or "structure" includes any part thereof. A "building or other structure" includes all other structures of every kind, regardless of similarity to buildings.
7. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", and "occupied for".

SECTION B. DEFINITIONS

Accessory Use - An "accessory use" is either a subordinate use of a building, or other structure, or lot, or a subordinate building or other structure:

1. Whose use is clearly incidental to the use of the principal building, other structure or use of land, and
2. Which is customary in connection with the principal building, other structure or use of land, and
3. Which is located on the same lot with the principal building, other structure or use of land.

An "accessory use" includes -- but is not limited to -- the following:

- a. Residential accommodations for servants and caretakers.
- b. A private greenhouse.
- c. A barn, shed, tool room, or other similar building or other structure for domestic or agricultural storage.
- d. Keeping of domestic animals, but only for personal enjoyment, for household use, or for cultivation of the soil, and not including a commercial stable or kennel.
- e. Incinerators incidental to residences and public or private institutions.
- f. Storage of goods used in or produced by manufacturing activities, on the same lot with such activities, unless such storage is excluded by the district regulations.
- g. The removal for sale of sod, loam, clay, sand, gravel or stone in connection with the construction of a building or other structure on the same lot.

Adult Amusement or Entertainment - An establishment with private viewing rooms that customarily engages in the presentation of nude and semi-nude exhibitions and performances for commercial or pecuniary gain which excludes minors by virtue of age, as defined in Article VII, Section Q, Adult Entertainment Businesses. This definition does not apply to the exhibition, presentation, showing or performance of any play, ballet, drama, tableau or production in any theater, concert hall, museum of fine arts, school, institution of higher learning or similar establishment which is primarily devoted to such exhibitions, presentations, show information, art or drama as differentiated from commercial or business advertising, promotion, selling or servicing products or services or otherwise advancing the economic welfare of a commercial or business enterprise such as a hotel, motel, bar, nightclub, restaurant, tavern or dance hall.

Adult Book Store - An establishment which has a substantial portion of its stock in trade, books, magazines, or other periodicals, from which minors are excluded by virtue of age, as defined in Article VII, Section Q, Adult Entertainment Businesses.

Adult Entertainment - *See: Article VII, Section P, Adult Entertainment Businesses.*

Adult Movie House - An establishment displaying movies that are rated X, XX, or XXX which is customarily not open to the general public by excluding minors by virtue of age, as defined in Article VII, Section Q, Adult Entertainment Businesses.

Adult Video Store - An establishment which has a substantial portion of its stock in movies, for sale or for rent, from which minors are excluded by virtue of age, as defined in Article VII, Section Q, Adult Entertainment Businesses.

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

Agriculture - Includes farming, dairying, pasturage, agriculture, horticulture, viticulture, animal and poultry husbandry; and only the sale of such products as are raised on the premises. Agriculture shall not include kennels.

Airport or Aircraft Landing Field - Any land area, runway or other facility designed, used, or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tiedown areas, hangars, and other necessary buildings and open spaces.

Alteration, Structural - Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

Apartment Building - A building or structure other than a duplex or two-family residence, in which there are three (3) or more dwelling units. Each dwelling unit has an individual entrance and may have a separate exterior entrance or they may share a building entrance and lobby. (Synonymous term: Apartment House)

Automobile Service Station - Any premises used for supplying gasoline and oil, at retail direct to the customer, including minor accessories and services for automobiles.

Automobile, Trailer and Recreational or Marine Vehicles Sales and Repair Area - An area, other than a street, used for the display or sale of new or used automobiles, trailers, recreational or marine vehicles and the repair, rebuilding or reconditioning thereof including collision, painting, or steam cleaning services.

Automobile Wrecking - The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Average Finished Grade Level - The average of the grade of the ground at all corners of a building or other structure.

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

Basement - A story partly or wholly underground. For purposes of height measurement a basement shall be counted as a story where more than one-half (1/2) of its height is above the average level of the adjoining ground.

Bed and Breakfast Inn - An owner-occupied, single-family residential dwelling in which rooms are rented to paying guests on an over-night basis and breakfast only is provided. The entire service to be included in one (1) stated price. This is to be located in R-1 and A-1 districts.

Billboard or Poster Panel - Any sign or advertisement used as an outdoor display for the purpose of making anything known, the origin or point of sale of which is remote from said display.

Board - Shall mean the Board of Zoning Appeals.

Board of Township Trustees - The Board of Township Trustees of Lake Township, Wood County, Ohio.

Building - Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property. A mobile home or manufactured home is a building, for the purpose of this Resolution, if the home is affixed to a permanent foundation and is located on land owned by the owner of the home and the certificate of title has been surrendered and inactivated by the Clerk of Common Pleas Court that issued it so that the home may be taxed as real property.

Building, Front Line Of - The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches, whether enclosed or unenclosed, but does not include steps. *See Also: Yard, Front.*

Building Height - The vertical distance measured from the average finished grade level to, in the case of flat roofs, the level of the highest point of the roof, and in the case of pitched roofs, the highest point of the roof.

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

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

In the Home Business - A business activity which is conducted in or from the residential premises by the occupant of the residence which does not involve any extension or modification which alters its outward appearance as a dwelling unit. *See Also: Home Occupation.*

Business Sign - A sign which directs attention to the business or profession conducted or to the principal products sold upon the premises.

Camper Vehicle - A motor vehicle with overnight accommodations for camping or travel.

Car Wash - A facility designated to provide interior vacuuming and exterior washing services, both automatic and self-service, to passenger automobiles, light trucks and vans.

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. The use shall comply with the *Ohio Revised Code* regulations.

Clinic - An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together or professionals licensed to practice the healing arts.

Club - A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Commercial Classifications

“B-1” Neighborhood Business District - Retail and service 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 influence. To prevent congestion, local retail and service uses include only those enterprises which normally employ less than ten (10) persons. Permitted uses include drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pick-up facilities, and hardware and grocery stores, if less than ten thousand square feet (10,000 sq. ft.) of floor area. Other small businesses of an equally restricted and local nature may be permitted, based on the discretion of the Board of Zoning Appeals.

“B-2” General Business District - Retail and service establishments which, in addition to catering to the community residents and workers daily needs for convenience goods and services, also include establishments offering comparative-type shopping facilities. Community business includes, but is not limited to, supermarkets and stores for the sale of drugs, hardware, appliances, furniture, apparel, footwear, business and personal services, professional services, offices and other similar related activities which lend themselves to contributing to the design and economics of a unified shopping center.

“B-3” Highway Business District - Includes commercial uses requiring location on major thoroughfares and at their principal intersections. Highway uses include motels, gas stations, restaurants, drive-in establishments, auto and farm implement sales and services, building trades and services, commercial recreation and similar commercial activities.

Commercial Entertainment Facilities - Facilities open to the public, established and operated for profit such as theaters, carnivals, nightclubs, cocktail lounges, amusement parks, miniature golf courses, stadiums, golf driving ranges, skateboard rinks, ice or roller skating rinks, race tracks, bowling alley, racquet ball clubs and similar enterprises.

Commercial Parking Facility -

A “Commercial Parking Facility” shall include any building or lot which:

1. Is used for the storage of automobiles, recreational vehicles, boats, utility or vacation trailers, and
2. Is not accessory to any other use on the same or any other lot, and
3. Contains space rented to the general public by the hour, day, week, month or year.

A “Commercial Parking Facility” may include the accessory sale of fuel and motor oil, wholly within a building located thereon.

A “Commercial Parking Facility” shall not include:

1. Any establishment used for the repair of vehicles or trailers excepting minor repairs which are solely incidental to the storage, nor
2. Any establishment used exclusively for the storage of commercial or public utility motor vehicles, or for the dead storage of motor vehicles.

Commission - The Zoning Commission of Lake Township.

Conditional Use (Special Exception) - A use which is subject to conditional approval by the Board of Zoning Appeals. A conditional use may be granted by the Board only when there is a specific provision for such special exception made in this resolution. A conditional use is not considered to be a non-conforming use.

Condominium Property - A single dwelling unit in a multi-unit dwelling or structure, which is separately owned and which may be combined with an individual interest in the common areas and facilities of the property. *See Also: Ohio Revised Code, Chapter 5311.*

Day Care Facilities - A place other than the permanent residence which administers to the needs of five (5) or more children or adults providing social, rehabilitative, recreational, or educational activities on a daily basis with no provisions for residential care. This includes, but is not limited to, adult day care, child day care, rehabilitative care, and nursery schools. *See Also: Nursery School.*

District - Agriculture Districts include all "A" Districts. Special Districts include all "S" Districts. Residence Districts include all "R" Districts. Neighborhood Business Districts include all "B-1" Districts. General Business Districts include all "B-2" Districts. Highway Business Districts include all "B-3" Districts. Industrial Districts include all "M-1" and "M-2" Districts.

Drive-In Commercial Uses - Any retail commercial use catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters, car wash facilities and similar uses; excluding semi-truck, trailer, and tank trailer washes.

Dwelling - Any building or portion thereof which is designed for or used for residential purposes.

Dwelling, Cluster, Single-Family - A building or portion thereof, designed and used for residential purposes, in which a single family has legal ownership of the dwelling unit within said building and each family either individually, jointly or through a common association is responsible for the maintenance of the total lot.

Dwelling, Migrant Worker - A residence occupied by seasonal agricultural workers during the harvesting of crops and produce for profit, but not for year-round occupancy.

Dwelling, Multiple Family - A building, or portion thereof, designed for occupancy by three or more families living independently in which they may or may not share common entrances and/or other spaces. Individual dwelling units may be condominiums.

Dwelling, Single-Family - A permanent structure entirely detached; independent from any other principal structure placed on a permanent foundation, having one or more rooms, with provisions for living, sanitary and sleeping facilities specifically designed and arranged exclusively for the use of one or more individuals of the same family. These dwellings include site built homes, industrialized homes, manufactured homes and mobile homes but not barns, sheds or other structures designed for uses other than single family.

Dwelling, Special Care - A dwelling occupied by a single family plus not more than three (3) special care inhabitants. The special care inhabitants must require special care or attention from the dwelling owner or family but such special care is not to include medical or therapeutic services provided in the dwelling. The primary elements of a traditional family relationship must exist among all of the inhabitants of the special care dwelling (i.e. there must exist that type of relationship which emphasizes the collective body of persons under one head and one domestic government having natural or moral duties to support and care for each other). The relationship between the special care inhabitants and the family offering the care must be non-profit (i.e. the compensation received must be designed to reimburse the reasonable cost of providing said care). The family or dwelling owner must provide either a permanent living arrangement for those permanently in need of care or a feeling of permanence of living arrangements for those who are in a period of transition between their institutionalization and their complete reintegration into society. Said dwelling unit, if required by the state or county, shall meet all the licensing requirements.

Dwelling, Two-Family - A residential building consisting of two dwelling units each of which adjoins the other either horizontally or vertically and is arranged, intended or designed for one family. Each dwelling unit shall have its own separate, private means of ingress and egress. The term "two-family dwelling" shall not include a manufactured home or a mobile home.

Dwelling Unit - A room or group of rooms which are designed for residential occupancy having cooking facilities for a single family and occupied by a single family unit. There may be one (1) or more "dwelling units" within a single building.

Elderly Household - Not more than three (3) persons, related or unrelated, who occupy a single dwelling unit, of whom one person is elderly.

Elderly Person - Any person who is 62 years of age or older, or any person who is handicapped such that his physical impairments are of a long-term duration and impede his ability to live independently without a suitable housing environment.

Essential Services - The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, which are reasonably necessary for the furnishing 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.

Exotic Animal - A wild or exotic animal means those mammals, reptiles, or fowl which are not ordinary household or domesticated pets, or animals native to the farm, and which are ordinarily and customarily confined to zoos or similar animal farms or which are found in a natural and wild habitat.

Family - One or more persons related by blood, marriage or adoption, including special care inhabitants only when related, living together in one dwelling unit, including domestic servants, gratuitous guests, plus no more than three (3) additional persons not related by blood, marriage or adoption.

Farm Vacation Enterprise (Profit or Non-Profit) - Farms adapted for use as vacation farms, picnicking and sports areas, fishing waters, camping, scenery, and nature recreation areas; hunting areas, hunting preserves and watershed projects.

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

Food Processing - The preparation or processing of food products exclusive of those involving odorous processes. Examples of activities included are bakeries and dairies.

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

Frontage - All the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street. If dead end, then all of the property abutting on one side between an intersecting street and the deadend of the street.

Garage, Private - An accessory building designed or used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be a commercial vehicle, which vehicle shall not exceed a one (1) ton capacity.

Garage, Public - A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor driven vehicles.

Gas Station / Service Station - *See: Automobile Service Station*

General Contractor - A building or premises utilized by a company or individual whose primary occupation is in the construction trades. Offices, storage or materials and heavy and highway equipment may be utilized in the conduct of the trade and shall be considered an integral part of the business.

Highway, Major - A street or road used primarily as a traffic artery for transportation between destination points such as population centers and/or areas of commercial / industrial concentration. Major highways in Lake Township are: I-80/I-90 (Ohio Turnpike), I-280, US 20/23, SR-51, SR-163, SR-420, SR-579 (Williston Road), and SR-795.

Home Occupation - Any occupation or activity carried on by a member of the immediate family, residing in the home, provided there is no commodity sold from the home and not more than one person is employed other than members of the immediate family residing in the home, and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes. No offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced. Home occupation shall include the use of the home by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment but not for the general practice of his profession. *See Also: Business Services - In the Home Business.*

Hospital - Any building or other structure containing beds for at least four (4) patients and devoted to the diagnosis, treatment or other care of human ailments.

Hotel - A building, or any part of a building which contains living and sleeping accommodations for transient occupancy and has a common entrance or entrances.

Institution - Buildings or land occupied by a non-profit corporation or a non-profit establishment for public use.

Institutional Home - A place for the care of babies, children, pensioners or the elderly, except those for correctional or mental cases.

Junk Yard - An open area where waste, scrap metal, paper, rags, or similar materials are brought, sold, exchanged, stored, packed, or handled including wrecking yards, but excluding uses taking place entirely within an enclosed building. *See also: Motor Vehicle Salvage Yard.*

kennel - Any lot or premises on which four (4) or more dogs, more than four (4) months of age are kept.

Loading Space - An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street or other appropriate means of access.

Lot - A parcel of land occupied or intended for occupancy by a use permitted in this Resolution, including one (1) main building, together with its accessory buildings, the open spaces and parking spaces required by this Resolution, and having its principal frontage upon a street or upon an officially approved place.

Lot Area - The total horizontal area within the lot lines of a lot.

Lot, Corner - Any lot at the junction of and abutting on two (2) or more intersecting streets.

Lot, Interior - Any lot other than a corner lot.

Lot Line, Front - For an interior lot, a "front lot line" is a street line. On a corner lot, the street line having the least dimension shall be considered the "front lot line".

Lot Line, Rear - Any lot line, other than a street line, which is parallel to the front lot line or within forty-five degrees (45) of being parallel to the front lot line.

Lot Line, Side - A "side lot line" is any lot line which is not a front lot line or a rear lot line.

Lot of Record - A lot which has been recorded in the office of the County Recorder of Wood County, Ohio.

Lot Width - The width of a lot at the building setback line measured at right angles to its depth. The width of lots fronting on a cul-de-sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard.

Manufactured Home Pad - That portion of a mobile home site that is designed, constructed, and improved in such a manner as to provide a base upon which a mobile home shall rest, and which also serves as a base upon which blocks or other materials are placed to assist in leveling the floor of the manufactured home and provide a temporary type of foundation.

Manufactured Home Park - One (1) or more contiguous parcels of land under a single management which have been designed and developed in such a manner as to provide individual manufactured home sites for one (1) or more manufactured homes. The term manufactured home park shall mean the same as a trailer park, trailer court, or trailer camp; however, only mobile homes or trailers with the HUD certification shall be located therein.

Manufactured Home Site - An area of land within a manufactured home subdivision or manufactured home park that is designed and developed in such a manner as to provide a location for one (1) manufactured home.

Manufactured Home Subdivision - A subdivision designed and/or intended for the sale of lots for manufactured home sites. A manufactured home subdivision will be subject to the same land development and site improvement standards that apply to conventional subdivisions under the Subdivision Rules and Regulations of Wood County, except as provided under Article VIII, Section C, herein.

Manufactured Housing - Any pre-assembled residence transported to a site for final assembly and set up; does not include traditional site built housing.

- 1. Mobile Home** - A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than 35 body feet in length, or when erected on site, is 320 or more square feet, that is built on a permanent chassis and is transportable in one or more sections and does not qualify under this Resolution's definition of a manufactured home or industrialized unit.
- 2. Industrialized Unit** - A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit" does not include a manufactured or mobile home as defined herein.
- 3. Manufactured Home** - A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the

Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974." And that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

4. **Industrialized Unit** - A factory built dwelling unit designed for assembly at the building site, bearing certification of compliance with the Ohio Building Code and meets the definition of Industrialized Unit (*O.R.C. 3781.10 (h)*).

Manufacturing - Any production or industrial process, including food processing, which combines one or more raw materials or components into a product or which changes the nature of the materials entering the process.

Manufacturing - Heavy - Any manufacturing, industrial production or storage which by the nature of the materials, equipment and processes utilized are generally conducted within an enclosed building and if outside storage of material is required on any portion of the property abutting or facing an "R" district, such storage is conducted within a well maintained enclosure which shall have an opaqueness of seventy-five percent (75%) or more. General manufacturing shall include the manufacture of dairy, canned fruit and vegetable, bakery, soft drink and confectionery products; textile mill products and apparel; lumber and wood products, furniture and fixtures; plastic products; perfumes and cosmetics; fabricated products from metal coils and sheets, nonferrous metals; screw machine products and bolts, nuts, screws, and washers; automotive parts, equipment and assembly; cutlery hand tools and general hardware; household appliances; electrical machinery, equipment and supplies; radio and television sets; electronic components and accessories; and products of a similar nature.

Manufacturing - Light - Any industrial use which is conducted entirely within enclosed, substantially constructed buildings, involving the use of only light machinery and equipment; does not use the open area about the buildings for the storage of materials or equipment other than for the unloading or loading operations at the rear of or within an enclosure which abuts a building. Restricted manufacturing shall include the manufacture of drugs, jewelry, musical instruments, sporting goods; the processing and assembly of small glass products; small household appliances; small electronic products, scientific instruments, and parts for the production of finished equipment; office, computing and accounting machines; research and laboratory testing; printing, publishing and engraving plants; and other similar products and operations.

Massage Parlor - An establishment or place primarily in the business of providing massage services operated by anyone **not** a duly licensed medical doctor, osteopath, chiropractor, nurse, or physical therapist treating patients recommended by a licensed physician under a duly licensed physician's direction, or person practicing the art of massage on the face or hands in a duly licensed beauty parlor or barber shop.

Mineral Extraction and Storage - Any mining, quarrying or storage of coal, limestone, clay or other mineral resources except sand and gravel.

Motor Vehicle Salvage Yard - Any place where two (2) or more motor vehicles not in running condition, or parts thereof are stored in the open, in a fenced area, or in a partially enclosed building, and are not being restored to operation, or any land used for wrecking, storing and/or salvage of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating conditions. *See also: Junk Yard.*

Non-Conforming Use - Any use, whether of a building, other structure, or land which does not conform to the use regulations (Article IV) of this Resolution for the District in which such "non-conforming use" is located, either at the effective date of this Resolution or as a result of subsequent amendments which may be incorporated into this Resolution. *See Also: Article III, Section F, Non-conforming Uses.*

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

Nursery School - A school designed to provide day-time care or instruction for five (5) or more children and operated on a regular basis. *See Also: Day Care Facilities.*

Nursing Home - An establishment where persons are housed or lodged and furnished with meals and nursing or convalescent care for hire.

Off-Street Parking Space - An off-street surfaced space available for the parking of one (1) motor vehicle and having an area of not less than one hundred eighty (180) square feet, exclusive of passageways, driveways and other maneuvering area appurtenant thereto and giving access thereto. Such space shall have direct access to a street or alley.

Parking Area, Private - An open area, other than a street or alley, used for the parking of the automobiles of occupants of a dwelling.

Parking Area, Public or Customer - An open area, other than a private parking area, street or alley, used for the parking of automobiles and available for public or quasi-public use.

Parking Space, Automobile - Space within a building or a private or public parking area for the parking of one (1) automobile.

Permanent Foundation - A permanent masonry, concrete or locally approved footer or foundation, to which a manufactured home may be affixed.

Personal Services - Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repairing, barber shop, beauty parlors, personal storage facilities and similar activities.

Permanently Sited Manufactured Home - Is a manufactured home that meets all of the following criteria:

1. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
2. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments;
3. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six inch minimum eave overhand, including appropriate guttering;
4. The structure was manufactured after January 1, 1995;
5. The structure is not located in a manufactured home park.

Plant Cultivation - The cultivation of crops, fruit trees, nursery stock, truck garden products and similar plant materials outside of structures, such as green houses, but not including such plant cultivation as is conducted on residential properties for the primary benefit of the resident family.

Pond - Any man-made or naturally occurring water area that is used for recreation, storm water retention or detention, or potable water supply.

Printing and Publishing - Any establishment which prints, copies or duplicates printed matter and/or produces or releases for publication any printed matter. The size of such an establishment shall not create undue vehicular congestion, excessive noise or objectionable problems to the surrounding neighborhood.

Professional Activities - The use of offices and related spaces including clinics for such professional services as are provided by doctors, dentists, lawyers, architects, and engineers.

Public Service Facilities - The erection, construction, alteration, operation or maintenance of a utility or service by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the electrical, gas, rail transport, communication, public water and sewerage services.

Public Uses - Public parks, schools, and administrative, cultural and service buildings, police and fire stations, not including public land or buildings devoted solely to the storage and maintenance of equipment and material.

Recreational Facilities:

- 1. Non-commercial Recreational Facilities** - Private and semi-public recreational facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses, game preserves, ski slopes, hunting and trapping, motorcycle race tracks, in line skating courses, roller blade courses and other private non-commercial recreation areas and facilities or recreation centers including private community swimming pools. Non-commercial recreational facilities may be leased to outside groups and organizations provided the fee for such purposes is limited to incidental maintenance and custodial expenses.
- 2. Commercial Recreational Facilities** - Recreational facilities open to the public, established and operated for a profit such as golf courses, riding stables, swimming pools, tennis courts, motorcycle race tracks, in line skating courses, roller blade courses, batting cages, basketball courts and similar enterprises.
- 3. Restricted Commercial Recreational Facilities** - Boat docks and fishing piers, boat launching, maintenance, repair and fueling facilities; concessions for the sale of food, non-alcoholic beverages and boating and fishing supplies and accessories.

Recreational Vehicle - A vehicle designed to be used primarily for recreational purposes, including temporary sleeping quarters or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pick-up campers, travel trailers and tent trailers, provided any such vehicle or unit which is forty (40) feet or more in overall length shall be considered a mobile home and shall be subject to all regulations of this ordinance applicable to mobile homes.

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

Residential Floor Area - The interior floor area of a dwelling including stairways, halls and closets but not including basements, porches, garages, breezeways or carports.

Restaurant - A private or public eating establishment which provides for the preparation and serving of food to be consumed on the premises. Establishments which are a sideline (i.e., less than ten percent (10%) of their business is generated from such sideline) provide food on a "to go" basis shall be included under this definition.

Retail Store - A store selling commodities, not processed on the premises, direct to the public.

Roadside Stand - A temporary structure designed or used for the display or sale of agricultural and related products.

Rooming House - A building or dwelling unit or portion thereof other than a hotel, where lodging for no more than five (5) persons is provided for compensation.

Sand and Gravel Extraction - The excavation, storage, separation, clearing and marketing of sand and gravel.

Satellite Dishes / Antennas - Refer to definition in Article VII, Section C.

Seasonal Residence - Summer cottages, winter lodges and similar housing occupied less than six (6) months during a year.

Semi-Public Uses - Churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.

Set-Back Line - A line established by zoning, platting or other legal means on a lot which is a specified distance from and parallel to the lot line to restrict the encroachment of buildings on the lot line.

Sewage Disposal System - Combined - An approved sewage disposal system which provides for the combined collection and disposal of sewage from a group of residential, commercial or industrial buildings.

Sewage Disposal System - On-Site - A septic tank installation on an individual lot which utilizes an anaerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sign - Any structure or part thereof or any device attached to a structure or painted or represented on a structure on which letters, figures, or pictorial matter is displayed or used for the purpose of bringing the subject thereof to the attention of the public. A "sign" includes any billboard, but does not include any flag, badge, or insignia of any government or governmental agency or of any charitable, religious, educational, or similar organization.

Social Activities - The use of land and buildings for clubs, fraternal organizations, veterans organizations and similar social purposes.

Special Care Inhabitant - A person eligible to be an inhabitant of a special care dwelling including foster children and the following when not related by blood, marriage or adoption to the special care dwelling owner or lessee: the physically handicapped (i.e. those with a full or partial loss of ambulatory functions, or loss of sight, hearing, or are considered as having epilepsy); the mentally ill where they are in a period of transition between their institutionalization and integration into society; or the mentally retarded where the competent state, county or city screening authority and clinical staff clearly indicate in respect to the mentally ill or retarded persons that there is no undue burden or risk to the safety of the community.

Specialized Animal Raising and Care - The use of land and buildings for the raising and care of fur-bearing animals such as rabbits and domestic pets and the stabling and care of horses, animal kennels, pigeon raising and raising of any other domestic animals or birds of a similar nature.

Storage Facility, Self Service - A building or complex providing individual rental warehouse units for the private storage of personal property. The total lot area shall comprise no more than ten (10) acres nor fewer than two (2) acres and must be enclosed by an approved security fence. The individual rental units may not exceed three hundred (300) square feet in area.

Story - That portion of a building included between the surface of any floor and the surface of the next floor above it, or, if there is no floor above it, then the space between such floor and ceiling next above it.

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

Street - A public thoroughfare in which the right-of-way is thirty (30) feet or more in width. For the purposes of this Resolution, the word "street" shall include the words "road" and "highway".

Street Line, Right-of-Way Line - A dividing line between a lot, tract or parcel of land and contiguous street.

Street Width - The horizontal distance between the side lines of a street, measured at right angles to the side lines.

Structure - Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures shall include buildings, mobile homes, walls, fences, billboards, towers, driveways, sidewalks, streets and utilities.

Structural Alteration - Any change to a dwelling or other building which involves any change in the following: supporting walls, or structural parts, stairways or other means of communication of ingress or egress.

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

Township - Lake Township, Wood County, Ohio.

Trailers, Small Utility - Any small trailer drawn by a motor vehicle used for the occasional transport of personal effects, camping equipment, and boats.

Travel Trailer - A nonself-propelled recreational vehicle that does not exceed an overall length of 35 feet, exclusive of bumper and tongue or coupling, and contains less than 320 square feet when erected on site. "Travel trailer" includes tent-type and fold out camping trailers.

Transportation for Hire - Any business or public utility engaged in the transportation of persons or property, or both, or furnishing such transportation service over any public street, road or highway.

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

Trustees - The Board of Township Trustees of Lake Township.

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

Used Car Lot - Any lot on which two (2) or more motor vehicles in operating condition are offered for sale or displayed to the public.

Variance - A variance is a relaxation of requirements where such variation will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this Resolution would result in unnecessary and undue hardship.

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

Warehousing and Wholesale Activities - The receiving, storage, sale and distribution of manufacturing products, commodities and equipment. Wholesale may include an occasional retail sale.

Yard - An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

Yard, Front - A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street right-of-way line and the main building or any projections thereof other than the projections of the usual uncovered porch. On corner lots, the front yard shall be all sides of the lot adjacent to streets and front yard set-backs shall be provided as indicated in Article V.

- 1. Yard Frontage** - All the property on one side of a dedicated public street right-of-way between two intersecting streets, measured along the line of the street right-of-way. The width of the lot, which is the distance from one side lot line to the other side lot line measured parallel to the front line, shall be at a minimum maintained for the entire depth of the lot.
- 2. Yard Lot line, Front** - For an interior lot, a "front lot line" is at the street right-of-way. On a corner lot all portions of a lot abutting a public right-of-way shall be the "front lot line".
- 3. Yard Lot Width** - The width of a lot measured at right angles to its depth. The width of lots fronting on a cul-de-sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard at the established set back.

Yard, Rear - A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof, other than the projections of uncovered steps, unenclosed balconies, or unenclosed porches.

Yard, Side - A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projections thereto.

Zoning Certificate - The document issued by the Zoning Inspector authorizing the use of land or building.

Zoning Inspector - The Zoning Inspector or his authorized representative appointed by the Board of Trustees.

Zoning District Map - The Zoning District Map or maps of the Township together with all amendments subsequently adopted.