ARTICLE 2

DEFINITIONS

2.01 General.
2.02 Definitions.

2.01 GENERAL: The following rules of interpretation and common terms shall apply:

(a) **Rules of Interpretation:**

(1) The particular shall control the general.

(2) The present and future tenses, and the singular and plural, shall be interchangeable unless the context implies the contrary.

(3) The word "shall" is mandatory and the word "may" is permissive.

(4) The word "applicant" means the legal owner or lessee of a lot or lots included in an application under this Resolution.

(5) The words "use" and "occupies" include "intended, designed, arranged or maintained to be used or occupied".

(6) The words "development", "lot", "structure" and "use" include "or part thereof", unless the context implies the contrary.

(7) Words and phrases not defined specifically in this Resolution shall have their usual and customary meaning.

(8) Required dimensions or quantities shall not be reduced or increased by more than one half of the smallest whole number, fraction, ratio or decimal given unless the context implies the contrary.

(9) The word "person" includes an individual, association, organization, partnership, trust, company, corporation, or any other legal entity.

(10) For words and terms undefined herein, the latest edition of "Webster's New World Dictionary" may be consulted.

(b) **Common Terms:**

(1) **Board:** The Board of Zoning Appeals of the Township.

(2) **Commission:** The Zoning Commission of the Township.

(3) **County:** Geauga County, Ohio.

(4) **District Schedule:** The District Schedule of this Resolution.

(5) **Highway Director:** The Director of Ohio Department of Transportation.

(6) **O.A.C.:** Ohio Administrative Code

(7) **O.R.C. or R.C.:** Ohio Revised Code

(8) **Resolution:** This Resolution.

(9) **Township:** Auburn Township, Geauga County, Ohio.

(10) **Trustees:** The Board of Trustees of the Township.

(11) **Zoning Inspector:** The Zoning Inspector of the Township.

(12) **Zoning Map:** The Zoning Map of this Resolution.

2.02 DEFINITIONS:

A-WEIGHTED SOUND LEVEL: The sound pressure level in decibels as measured on a sound-level meter using the A-weighting network. The level so read is designated as dB(A) or dBA. 11/19/13

ACCESSORY BUILDING, STRUCTURE, OR USE: A subordinate use of a building, structure, or lot or a subordinate building or structure: (1) the use of which is clearly incidental to the use of the principal building, structure, or use of a lot; (2) which is customary in connection with the principal building, structure, or use of a lot; and (3) which is located on the same lot with the principal building, structure, or use. 6/6/07

ACCESSORY DWELLING UNIT: Area within a single family dwelling with an internal connection for ingress/egress, comprised of living and/or dining and sleeping rooms and space for bathing and toilet facilities, not including space for cooking facilities, all of which are used by only one (1) family for residential occupancy. 5/5/22

AGRICULTURE: Includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production. 6/6/07

AGRITOURISM: As defined in O.R.C. Section 901.80 (A)(2), means an agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity. 8/15/18

AMATEUR RADIO SERVICE: The amateur service, the amateur satellite service, and the radio amateur civil emergency service as provided under 47 C.F.R. part 97.

AMATEUR STATION: A station in an amateur radio service consisting of the apparatus necessary for carrying on radio communications.

ANTENNA: Any system of wires, poles, rods, discs, dishes, or similar devices used for the transmission or reception of electromagnetic waves attached to the exterior of a building or mounted in the ground independent (freestanding) of a building on a tower.

AUTO REPAIR GARAGE: A building or part of a building that is used for the major repair, rebuilding or reconstruction of motor vehicles or parts thereof including collision service, painting, washing and steam cleaning of vehicles. The sales of fuels are prohibited.

AUTOMOBILE SALES: The use of any building, lot, or other premises for the display and sale, lease or rental of new or used automobiles and which may include the display and sale, lease or rental of new or used motorcycles, light trucks and vans, trailers or recreation vehicles.

AUTO SERVICE STATION: An establishment where liquids used as motor fuels are stored and dispensed into the fuel tanks of motor vehicles, or where electric vehicles may be recharged, by an attendant or by persons other than the station attendant. These establishments may include the routine maintenance and service of vehicles except that major repairs as described in AUTO REPAIR GARAGE shall not be permitted. Such an establishment may include space/floor area for the sale of other retail products. 6/6/07

BASEMENT: A portion of a building or structure with at least one-half of its floor to ceiling height below the adjoining exterior finished grade level and with its ceiling not covered by earth. Said portion is not a completed building or structure and shall only serve as a substructure or foundation for a building or structure. 6/6/07

BED-AND-BREAKFAST: A private, owner-occupied residence where guest bedrooms are offered for compensation by the day, week or month, for lodging, or meals and lodging, and in which cooking or similar housekeeping equipment may be provided for guest use. (Effective 5/19/04)

BREWERY: means a commercial retail establishment licensed by the Ohio Department of Commerce, Division of Liquor Control, located within a permanent, fully enclosed principal building wherein malt beverages are produced, served, and sold directly to patrons for consumption. A brewery may or may not have a kitchen for food preparation and a dining area for the sale and consumption of food directly to patrons for consumption.

BUILDING: A temporary or permanent structure, other than a mobile home, affixed to or resting on the ground and designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property. 6/6/07

BUILDING, DETACHED: A building surrounded on all sides by open space and separated from other buildings.

BUILDING, ENCLOSED: A building enclosed by a permanent roof and external or party walls.

BUILDING OR STRUCTURE, NONCONFORMING: A building or structure which was lawfully in existence at the effective date of this Resolution or amendment thereto that does not conform to the area, square footage, yard, height, or other applicable regulations for the zoning district in which it is located. 3/6/13

BUILDING, PRINCIPAL OR MAIN: A building within which the primary permitted or conditional use is conducted on a lot. 6/6/07

BUILDING FLOOR AREA: The sum of the floor areas of a building measured horizontally from the outside faces of their external walls or the centerline of party walls, unless otherwise provided for in this Resolution.

BUILDING HEIGHT: The longest vertical distance through a building measured perpendicular from its average finished grade to the top of the highest coping or ridge. Building height limitations shall not apply to chimneys, church spires, flag poles, grain elevators, heating and air conditioning equipment, radio and television antennae, silos, transmission lines and towers or water tanks.

BUILDING LINES: The lines on a building, parallel to its lot lines, which define its yards. See Appendix A.

BUSINESSES, GENERAL: One or more of the following uses, with or without a dwelling unit unless otherwise provided for in the Resolution: (7/21/10)

a. Drug stores and the retail sales of products such as apparel, new automotive parts, beverages, books, flowers, food, gifts, hardware, household appliances and furnishings, jewelry, liquor, pets and sporting goods.
b. Personal services such as apparel cleaning and repair outlets, barber and beauty shops, and tailors.

CAR WASH FACILITY: An enclosed building equipped for washing cars and other motor vehicles by either utilizing a fully automated system that functions electronically without the need for continuous input from an operator or non-automated washing conducted by employees of the car wash. A car wash facility may include an office and appurtenant space for equipment necessary for its operation. 5/5/2022

CAR WASH TUNNEL: A tunnel within a car washing facility whereby the vehicle can either drive through or be automatically pulled along a track. 5/5/2022

CAR WASH FULLY AUTOMATED SYSTEM: A mechanical device operated electronically, that functions automatically, without continuous input from an operator. The technique, method, or system of operating or controlling a process by highly automatic means, as by electronic devices, reducing human intervention to a minimum. 5/5/2022

CEMETERY: Pursuant to O.R.C. Sections 1721.21 and 4767.02, "cemetery" means any real property owned by a person, church, religious society, established fraternal organization, or political subdivision of the state of Ohio for the disposition of human remains and includes any one or a combination of more than one of the following. For the purpose of this definition, "interment" means the disposition of human remains by earth burial, entombment, or inurnment.:

a. A burial ground for earth interments;
b. A mausoleum for crypt entombments;
c. A columbarium for the deposit of cremated remains;
d. A scattering ground for the spreading of cremated remains. 2/2025

CEMETERY, FAMILY: Pursuant to O.R.C. Section 4767.02(D), "family cemetery" means a cemetery located on privately owned real property containing the human remains of persons, at least three-fourths of whom have a common ancestor or who are the spouse or adopted child of that common ancestor. 2/2025

CHILD DAY CARE FACILITY: A facility licensed by the State of Ohio pursuant to Chapter 5104 of the Ohio Revised Code for the day care of children.

CHURCH: A building used for public worship and may include temples, cathedrals, synagogues, mosques, chapels, and congregations. 6/6/07

COLOCATION: Locating wireless telecommunications antennas and appurtenant equipment from more than one provider on a single wireless telecommunications tower site.

CONDITIONAL ZONING CERTIFICATE: A certificate issued by the zoning inspector upon approval by the township board of zoning appeals for a conditional use. 6/6/07

COURT: Any open space bounded on two or more sides by one or more main buildings on the same lot.

CUL-DE-SAC: A road, one end of which connects with another road, and the other end of which terminates in a permanent vehicular turnaround. 11/19/13

DAMAGED OR DISEASED TREES: Trees that have split trunks; broken tops; heart rot; insect or fungus problems that will lead to imminent death; undercut root systems that put the tree in imminent danger of falling; lean as a result of root failure that puts the tree in imminent danger of falling; or any other condition that puts the tree in imminent danger of being uprooted or falling into or along a watercourse or on to building or structure. (1/5/05)

DECIBEL (dB): A unit for measuring the volume of sound, equal to twenty times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is twenty micropascals (twenty micronewtons per square meter). 11/19/13

DECK: A structure consisting of wood, vinyl or other composite materials with or without a roof that is an open platform attached to a building or is freestanding and is supported by posts or piers. 6/6/07

DENSITY: A unit of measurement representing the number of buildings, structures or dwelling units per acre of land.

DESIGNATED WATERCOURSE: A river or stream within the township that is in conformity with the criteria set forth in these regulations. (1/5/05)

DEVELOPMENT: Development includes the alteration, construction, enlargement, erection, location, movement or reconstruction of any structure; or the establishment or change of use or the drainage or existing grade of the land.

DISTRICT: A portion of the township shown on the zoning map within which zoning regulations apply as specified in this resolution.

DRIVE-THRU FACILITY: Any portion of a building or structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions. The term "drive-thru" shall also include "drive-up" and "drive-in" but shall not include AUTO SERVICE STATION.

DRIVEWAY: A private way providing access for vehicles from a road to a dwelling, building, structure, parking space or loading/unloading space.

DRY HYDRANT: A standpipe connected by means of a pipeline to a water source that permits the withdrawal of water by drafting through the use of firefighting equipment. (3/17/04)

DWELLING: Any fully enclosed building (except a mobile home or recreational vehicle as defined herein) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants. A dwelling shall include an industrialized unit and a manufactured home as defined herein.

DWELLING EARTH SHELTERED: A completed building or structure, containing a dwelling unit, designed to be built underground and not intended as the foundation, substructure, or basement for a subsequent dwelling. 6/6/07

DWELLING SINGLE FAMILY: A dwelling consisting of one (1) detached dwelling unit to be occupied by one (1) family only. 8/15/18

DWELLING UNIT: Space within a building comprising living and/or dining and sleeping rooms; and space for cooking, bathing and toilet facilities; all of which are used by only one (1) family for residential occupancy. 6/6/07

DWELLING UNIT FLOOR AREA: The sum of the living areas of a dwelling unit measured from exterior walls, excluding basements, crawl spaces, garages,–attics, decks, patios, and porches. Rooms above the first floor may be included, provided they are directly connected to a stairway or hall and have a minimum ceiling height of seven (7) feet over at least half the area of the room.

DWELLING TWO FAMILY: A building comprised of two (2) attached dwelling units, with no internal connection for ingress/egress, to be occupied by two (2) families. 5/5/22

EASEMENT: means the right of a person, governmental entity, public utility, or other firm to use public or private land owned by another for a specific purpose as established by an instrument of record in the county recorder's office. 8/20/14

ELECTRIC VEHICLE (EV): Any vehicle that operates either partially or wholly on electrical energy from an off-board source that is stored on-board for motive purposes. 5/5/2022

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE): A unit that supplies electric energy for charging an electric vehicle. Such equipment is classified as established by the Society of Automotive Engineers (SAE). 5/5/2022

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) SPACE: Off-street parking spaces, parking garage, or designated charging area with electric vehicle supply equipment (EVSE). 5/5/2022

FAMILY: One (1) or more persons related by blood, adoption, guardianship or marriage, living and cooking together as a single housekeeping unit, exclusive of live-in hired employees. A number of persons but not exceeding two (2) living and cooking together as a single housekeeping unit though not related by blood, adoption, guardianship or marriage shall be deemed to constitute a family, exclusive of live-in hired employees. A family shall not include any society, club, fraternity, sorority, association, lodge, federation, coterie, or a like organization; any group of individuals whose association is temporary or seasonal in nature; and any group of individuals who are in a group living arrangement as a result of criminal offenses. 6/6/07

FAMILY DAY CARE (see Type B Family Day Care)

FARM MARKETS: Pursuant to Ohio Revised Code Section 519.21(C)(1), the use of any land where fifty percent (50%) or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The agency with overall responsibility for administering the National Flood Insurance Program. (1/5/05)

FENCE: An artificially constructed structure consisting of wood, masonry, stone, wire, metal or other manufactured material or combination of materials erected as a boundary or means of protection to enclose, screen or separate areas on a lot. A "fence" shall not include hedges, shrubs, trees or other natural growth or vegetation. 6/6/07

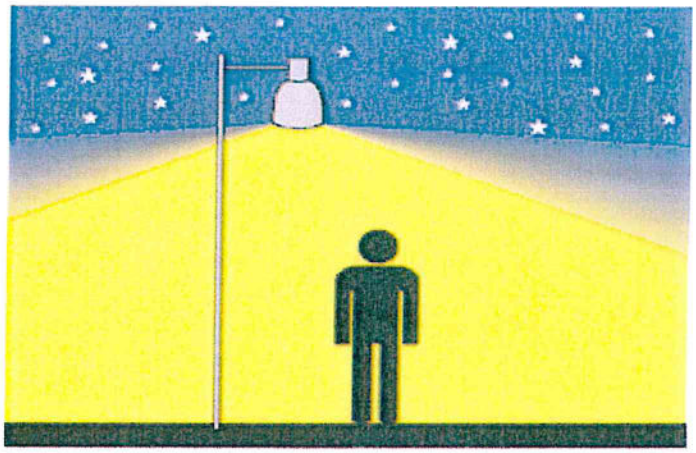
FINISHED GRADE LEVEL: The elevation of the finished grade of the ground adjacent to a building or structure. 6/6/07

FLOOR AREA: The sum of the horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls. 6/6/07

FOOTCANDLE: The illumination of a surface one foot distant from a uniform point source of one candela equal to one lumen per square foot. (5/19/04)

FULL-SHIELDED OR FULL CUT-OFF TYPE FIXTURE: An outdoor lighting fixture that is shielded or constructed so that all light emitted is projected below a horizontal plane

Full cut-off lighting



University of Texas, Austin

- Full cut-off lighting directs light down and to the sides as needed and provides more control of light.
- Reduces glare and provides more even illumination.
- Reduces light trespass onto neighboring properties.
- Helps preserve the dark night sky.

running through the lowest light-emitting part of the fixture.

GARAGE: A building designed and used for the storage of motor vehicles. 6/6/07

GAZEBO: A freestanding, typically octagonal, roofed structure that is open on the sides.

GLARE: Light entering the human eye directly from an outdoor lighting fixture that causes extreme visual discomfort, including the substantial reduction or loss of visual performance.

GLARE, DIRECT: The glare resulting from the human eye being able to see the light-emitting portion of an outdoor light fixture, due to an improperly installed bulb, shield or globe or as a result of the location or height of such fixture on the affected property due to its height. See Article 4A and Section 4A.11.

GOLF COURSE - Any privately, or publicly owned facility consisting of at least nine (9) golf holes of conventional design and distance. Golf course may include a clubhouse (kitchens, dining areas, game rooms, bar, grill, locker rooms, baths, fitness center), swimming pools, tennis or paddleball courts and a party center. (7/21/10)

GRADES: The elevation of the surface of the ground prior to development shall be the existing grade, and the elevation after development and normal settling shall be the finished grade.

GUEST: The patron of a restaurant, hotel, motel, or bed and breakfast.

HAZARDOUS WASTE: 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 or others coming into contact with such material or substance and which cannot be handled by routine waste management techniques and as defined in O.A.C. Section 3745-51-03.

HOME OCCUPATIONS: Occupations, businesses or professions for remuneration conducted wholly within a dwelling unit by members of the family residing therein and located within a residential zoning district.

HOSPITAL: A facility providing primary health care services and medical or surgical care to persons, primarily in-patients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions by licensed physicians and other medical staff. 6/6/07

HOTEL OR MOTEL: A building in which temporary lodging is provided and offered to the public for compensation. 6/6/07

IMPERVIOUS COVER: Any paved, hardened or structural surface regardless of its composition including (but not limited to) buildings, roads, driveways, parking lots, loading/unloading spaces, decks, patios, and swimming pools. (11/17/04)

IMPERVIOUS SURFACE: A surface comprised of a material or combination of materials that repels water and prevents precipitation and melt water from infiltrating soils. These are mainly surfaces constructed of impenetrable materials (e.g. asphalt, concrete, roofing materials, stone, gravel, brick, etc.) 6/6/07

IMPROVEMENTS, PRIVATE: The development of drainage and grading, driveways, lakes and ponds, paving, fences and landscaping, sewer and water facilities and other structures and uses on a lot.

IMPROVEMENTS, PUBLIC: The development of sewer and water facilities, roads, storm drainage, utilities and other structures and uses on public sites, or in rights-of-way or permanent easements. 11/19/13

INDUSTRIALIZED UNIT: A structure as defined in Ohio Revised Code **3781.06(C)(3)** for which a letter of certification and insignia has been issued by the Ohio Board of Building Standards pursuant to Ohio Administrative Code 4101:2-1-62(A). 3/11/08

INDUSTRIES, GENERAL: One or more of the following uses within fully enclosed buildings unless otherwise provided for in the Resolution. (9/6/01)

a. Businesses engaged in the distribution, packaging or wholesaling of new products, dry cleaning and laundry plant suppliers, metal work and welding, photographic processing, printing and publishing.

b. Assembly of products made from previously processed materials including animal products, fibers, glass, metal, paper, plastics, rubber, textiles and wood. 9/6/01

c. Manufacturing of products including electrical equipment and supplies, household appliances and furnishings, instruments, jewelry, medical products, novelties, office equipment and supplies, photographic products, pottery, signs, small machinery and automotive parts, sporting goods, stone monuments and toys. 9/6/01

d. Processing of products including cosmetics, drugs, food, non-alcoholic beverages, pharmaceuticals and toiletries. 9/6/01

INDUSTRIES, LIGHT: Manufacturing or other industrial uses which are controlled operations and relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust. All such uses shall operate entirely within fully enclosed buildings. 3/6/13

INFECTIOUS WASTE: Such waste as defined in O.A.C. Section 3745-27-01(I)(6).

JUNK: Old or scrap copper, brass, rope, rags, trash, wastes, batteries, paper, rubber, plastic, dismantled or wrecked vehicles or parts thereof, steel and other old or scrap ferrous or nonferrous materials.

JUNK MOTOR VEHICLE: Any motor vehicle that meets all of the following criteria: it is three (3) years old or older; apparently inoperable; and extensively damaged, including, but not limited to any of the following: missing wheels, tires, engine, or transmission.

JUNK YARD: Any land, property, structure, building or combination of the same on which junk or junk vehicles are stored, processed or bought or sold.

KENNEL: Any building, structure or land where dogs or other domesticated pets are boarded, cared for, bred or kept for remuneration. 6/6/07

LAKE: A water impoundment made by constructing a dam or an embankment or by excavating a pit or dugout and having an area of five (5) acres or more. (3/17/04)

LAND DEVELOPMENT ACTIVITY: Any change to the surface area of a lot including (but not limited to) clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, cut and fill, construction of buildings or structures, paving, and any other installation of impervious cover. (11/17/04)

LANDSCAPING: Landscaping includes plantings such as grass, hedges, and trees, and structures such as flag poles, outdoor fireplaces, and ornamental fences.

LICENSED RESIDENTIAL FACILITY: A residential facility as defined in Ohio Revised Code Sections 5119.34(B)(1)(b) and 5123.19(A)(5) that is licensed.

LIGHT TRESPASS: Light (emitted by a lighting fixture) that falls outside the boundaries of the property on which the fixture is installed.

LOADING/UNLOADING SPACE: Space provided for pick-ups and deliveries for commercial and industrial uses. 6/6/07

LOT: A parcel of land, which shall be a lot of record. Lot types are shown in Appendix A of this Resolution. 6/6/07

LOT AREA: The total area, expressed in acres, included within the boundary lines of a lot computed exclusive of any portion of the right-of-way of any abutting public or private road. 6/6/07

LOT, CORNER: A lot located at the intersection of two or more roads.

LOT DEPTH: The distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear. 6/6/07

LOT LINE: The boundary of a lot which separates it from adjoining lots of record; public land; private land; common, public or private open space; and public or private roads. 6/6/07

LOT LINE, FRONT (FRONTAGE): The boundary of a lot which abuts a public or private road. 6/6/07

LOT LINE, REAR: The boundary of a lot which is parallel or within forty-five (45) degrees of being parallel to the front lot line. If the rear lot line forms a point, then the rear lot line shall be a line ten (10) feet in length within the lot, drawn parallel to and the maximum distance from the front lot line. 6/6/07

LOT LINE, SIDE: Any boundary of a lot which is not a front lot line nor is a rear lot line. 6/6/07

LOT OF RECORD: A parcel of land listed as a separate unit on the county auditor's tax list, and either as a separate lot on a subdivision plat recorded in the office of the county recorder or as a separate lot described by metes and bounds on a deed or instrument of conveyance recorded in the office of the county recorder.

LOT WIDTH: The shortest distance that occurs between the side lot lines of a lot measured continuously anywhere between the front lot line and the actual building line. 12/28/2020

MANUFACTURED HOME: A building unit or assembly of closed construction as defined in Ohio Revised Code Section 3781.06 (C) (4). 3/11/08

MEDICAL CLINICS: An establishment where healthy, sick, ailing, infirm, or injured persons are admitted for wellness check-ups, examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel and where patients are not usually lodged overnight. 9/3/08

MEDICAL MARIJUANA: Marijuana as defined in O.R.C. Section 3796.01(A)(1), that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose per O.R.C. Section 3796.01(A)(2). 6/14/17

MINERALS: Substances or materials excavated from natural deposits in the earth (12/4/02).

MOBILE FOOD UNIT: Includes any apparatus or equipment that is used to cook, prepare, and serve food and/or beverages from a movable vehicle, including, but not limited to, motorized vehicles, trailers, and hand-propelled carts. 2/2025

MOBILE HOME: A building unit or assembly of closed construction as defined in Ohio Revised Code Section 4501.0 (O), and which is designed to be used as a dwelling with or without a permanent foundation, and which does not conform to the National Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403 as amended. A "mobile home" does not mean an "industrialized unit", "manufactured home" or "recreational vehicle" as defined in this Resolution. A building or non-self-propelled vehicle is a mobile home whether or not axles, chassis, hitch, wheels, or other appurtenances of mobility have been removed and regardless of the nature of the foundation provided. 3/11/08

MONOPOLE: A structure composed of a single spire used to support communications equipment.

NOISE: Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans. 11/19/13

NONCONFORMING BUILDING OR STRUCTURE: A building or structure which was lawfully in existence at the effective date of this Resolution or any amendment thereto that does not conform to the area, square footage, yard, height, or other applicable regulations for the zoning district in which it is located.

NURSING HOME: A home as defined in R.C. Section 3721.01 and generally used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal assistance but not skilled nursing care. A nursing home is licensed to provide personal assistance and skilled nursing care. 6/6/07

OHIO ENVIRONMENTAL PROTECTION AGENCY: The governmental agency referred to herein as the Ohio EPA. (11/17/04)

ONE HUNDRED YEAR FLOODPLAIN: Any land susceptible to being inundated by water from a base flood. The base flood is the flood that has a one percent or greater chance of being equaled or exceeded in any given year. The one-hundred-year floodplain shall be identified by the Federal Emergency Management Agency maps of the township. (1/5/05)

OPEN SPACE: All land other than rights-of-way which shall not be occupied by buildings, structures, driveways, parking areas or uses except as otherwise provided in this Resolution. Open space also includes land set aside in a subdivision for common use by the residents therein, and controlled by a public entity, a private corporation or organization such as a Home Owners Association with restrictions, easements, covenants and other conditions running with the land. The allocation and development of common open space shall comply with the provisions of this Resolution; and the form of all related legal instruments shall be approved by the County Prosecuting Attorney prior to approval of the development. 6/6/07

ORDINARY HIGH WATER MARK: The point of the bank to which the presence and action of surface water is so continuous as to leave an area marked by erosion, destruction or prevention of woody terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristic. The ordinary high water mark defines the bed of a watercourse. 1/5/05

OUTDOOR DINING: means an accessory use devoted to exterior food and/or drink service to patrons in an area that is in conjunction with, and under the same management and control of, the owner or lessee of a restaurant, tavern, or brewery that is located on the same lot.

OUTDOOR DISPLAY: Open areas used to sell goods or services to the general public and shall be accessory to the principal permitted or conditional use on a lot. The goods or services shall be products which are customarily associated with the operation of the principal business located on the premises. 3/6/13

OUTDOOR STORAGE: An open area on a lot used for parking or storage of equipment, materials, machinery or vehicles for a period of 24 hours or more and shall be accessory to the principal permitted or conditional use on a lot. 6/6/07

PARKING AND LOADING FACILITIES: Off-street parking and loading spaces, parking garages and all related circulation areas and appurtenances for the temporary parking of vehicles generated by the use or uses on the same lot.

PARTY CENTER: A building, publicly or privately owned, designed and used for rental of space for private parties, such as weddings and banquets, and for other events, such as meetings, training and seminars. (2/25/09)

PATIO: A structure with a surface area consisting of concrete, pavers, or stone with or without walls or a roof that is attached or is immediately adjacent, to a building.

PAVILLION: A structure with no more than two (2) enclosed sides and a roof used for shelter.

PERMANENT PARCEL NUMBER (PPN) a.k.a. PARCEL ID: The number sequence assigned by the County Auditor to real property as part of a permanent parcel numbering system.

PERSONAL WIRELESS SERVICE FACILITY: Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services as defined by 47 U.S.C. 332-(c) (7).

PERVIOUS SURFACE: A surface comprised of a material or combination of materials that allows precipitation and melt water to eventually infiltrate into the surrounding soil. 6/6/07

PLAN, DEVELOPMENT: Drawing(s) and map(s) illustrating the proposed design, layout, and other features for the development of one or more lots.

PLAN, FINAL DEVELOPMENT: Drawings and maps including all the elements set forth in Section 8.05.

PLAN, GENERAL DEVELOPMENT: Drawings and maps including all the elements set forth in Section 8.04.

PLAYGROUND: A recreation facility primarily for children which may include court and field games, fences, play apparatus, recreation structures, restrooms and signs.

POND: A water impoundment made by constructing a dam or an embankment or by excavating a pit or dugout.

DETENTION POND: Detention pond means a dry pond. Runoff enters an area of detention faster than it leaves. A detention pond can be designed with or without a permanent pool of water. 3/17/04

FIRE PROTECTION POND: A pond, retention pond, or lake with an installed dry hydrant built to the most current dated requirements of Natural Resources Conservation Service, Conservation Practice Standard 378 (POND) and Standard 432 (DRY HYDRANT). 3/17/04

RETENTION POND: Retention pond means a pond that has a permanent pool of water and may or may not have the capacity of detention or peak flow storage. (3/17/04)

PORCH: An area adjoining a building entrance with a roof and no more than three (3) enclosed sides.

PROFESSIONAL OFFICE: An office where licensed professional services are provided, such as medical, legal, dental, and accounting. 6/6/07

PUBLIC FACILITIES: Uses such as fire stations, police stations, administrative offices, maintenance garages, libraries, schools, recreation facilities, and sewer and water facilities on public sites, owned and operated by a political subdivision of the State of Ohio.

PUBLIC UTILITY: Any company or other legally existing entity which hold a valid license issued by the Public Utilities Commission of Ohio (PUCO); or any company or legally existing entity which delivers a good or service to the public and which has been determined to be a public utility by the zoning inspector or the board of zoning appeals based upon the following factors relative to (A) Public Service and (B) Public Concern:

(A) Public Service

1. Is there the devotion of an essential good or service to the general public, which has a right to demand or receive the good or service?

2. Must the company provide its good or service to the public indiscriminately and reasonably?

3. Does the company have an obligation to provide the good or service, and not arbitrarily or unreasonably withdraw it?

4. Are there any applicable statutory or regulatory requirements that the service be accepted?

5. Is there a right of the public to demand and receive the service?

(B) Public Concern

1. Is there concern for the indiscriminate treatment of those people who need and pay for the good or service? (For example, are prices fairly set?

2. Is there a mechanism for controlling price? (For example, does marketplace competition force providers to stay fairly priced?)

3. Is there public regulation or oversight of rates and charges?

A "public utility" does not include a person that owns or operates a solid waste facility or a solid waste transfer facility, other than a publicly owned solid waste facility or a publicly owned solid waste transfer facility, that has been issued a permit under Chapter 3734 of the Ohio Revised Code or a construction and demolition debris facility that has been issued a permit under Chapter 3714 of the Ohio Revised Code.

QUARRIES: Extraction by surface excavation methods of gravel, minerals, rock, sand, soil or stone for sale and disposition to another lot including all related equipment, excavations, machinery, improvements for ingress/egress, structures and vehicles. A quarry shall also be known as surface mining. Quarries do not include test or exploration boring or mining operations carried out beneath the surface of the earth by means of shafts, tunnels or similar mine openings. (12/4/02)

RADIO: The communication of impulses, sounds, and pictures through space by electromagnetic waves.

RECESSED CEILING FIXTURE: An outdoor lighting fixture recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling. 6/6/07

RECREATION FACILITIES: Public or privately owned facilities designed and equipped for the conduct of indoor/outdoor sports and leisure-time activities, which are open to the public for a fee or at no cost. (2/25/09) However, such facilities shall not include an outdoor shooting range for the purpose of shooting with firearms, unless it is owned or operated by a public law enforcement agency or department. (6/2023)

RECREATIONAL VEHICLE: A portable vehicular structure designed and constructed to be used as a temporary dwelling and including travel trailers, motor homes, and truck campers as defined in Ohio Revised Code 4501.01. 3/11/08

RESTAURANT a commercial retail service establishment within a permanent, fully enclosed principal building that shall include a kitchen for food preparation and a dining area wherein food and beverages are served and sold directly to patrons for consumption. 2/2025

RESIDENTIAL CARE FACILITY: A home, also known as an assisted living facility, as defined in the Ohio Revised Code Section 3721.01(A)(7) that provides either of the following: (a) Accommodations for seventeen (17) or more unrelated individuals and supervision and personal care services for three (3) or more of those individuals who are dependent on the services of others by reason of age or physical or mental impairment; or (b) accommodations for three (3) or more unrelated individuals, supervision and personal care services for at least (3) of those individuals who are dependent on the services of others by reason of age or physical or mental impairment, and to at least one (1) of those individuals, any of the skilled nursing care authorized by Section 3721.011 of the Ohio Revised Code.

RIGHT OF WAY: All land included within an area dedicated to public use as a road, or land recorded as an easement for private use as a road, for ingress and egress. A right-of-way may also include public improvements within its boundaries. 6/6/07

RIPARIAN AREA: Naturally vegetated land adjacent to designated watercourses that, if appropriately sized, helps to stabilize streambanks, limit erosion, reduce flood size flows and/or filter and settle out runoff pollutants or performs other functions consistent with the purposes of these regulations. 1/5/05

RIPARIAN SETBACK: The real property adjacent to a designated watercourse located within the area defined by the criteria set forth in these regulations. 1/5/05

ROAD, PRIVATE: A recorded easement as defined in the Geauga County Subdivision Regulations held by a private owner or established legal entity for private use as a road right-of-way and not accepted for maintenance by the state, county, or township and which provides the principal means of ingress and egress and frontage for an abutting lot. 11/19/13

ROAD, PUBLIC: A road right-of-way dedicated for public use as defined in R.C. section 5535.01 and the Geauga County Subdivision Regulations and accepted for maintenance by the state, county, or township and which provides the principal means of ingress and egress and frontage for an abutting lot. 11/19/13

SATELLITE DISH ANTENNA: An accessory structure capable of receiving, for the sole benefit of the principal use it serves, radio or television signals from a transmitter or a transmitter relay located orbitally. This definition may include direct broadcast systems and television reception only systems.

SCHOOL: Any public school chartered by the Ohio Board of Regents or conforming to minimum standards prescribed by the state board of education and any private or parochial school certified by the Ohio Department of Education which offers state approved courses of instruction. 6/6/07

SELF-STORAGE FACILITIES: Storage units offered for rental on a monthly or yearly basis, where personal property is stored wholly inside a building and no other business activities are engaged in by the tenant other than loading or unloading of the property to be stored in the facility. 6/6/07

SEWAGE SYSTEM, ON-SITE: A septic tank or similar installation on an individual lot which provides for the treatment of sewage and disposal of the effluent subject to the approval of the health and sanitation agencies or departments having jurisdiction.

SEWERS, CENTRAL: A sewage disposal system which provides a collection network and central wastewater treatment plant for the effluent subject to the approval of the health and sanitation agencies or departments having jurisdiction.

SETBACK: Minimum distances from a right-of-way or lot line that a building can be placed. 9/6/01

SIGNS: Any device, structure or any part thereof, or a building or surface or any part thereof, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device or other representations, used to advertise, announce, direct, or identify.

BILLBOARD: An outdoor advertising device which advertises an activity, service or product located on a lot other than a lot at which such activity or service occurs or which product is sold or manufactured, or an advertising device erected by a company or individual for the purpose of selling advertising messages for profit. A billboard is an "off-premises" sign.

BUSINESS: Business signs advertise or identify the main and/or accessory use on the same lot, or the goods or services produced or purveyed thereon. 7/21/10

DEVELOPMENT: Development signs identify the development of which they are a part, excluding business, directional and temporary signs.

DIRECTIONAL: Directional signs identify the direction and distance to a business or place not located on the same lot. 7/21/10

ELECTRONIC MESSAGE: A sign which displays only a text and/or numeric message utilizing internally illuminated components that enable the display to change periodically and is controlled by remote or automatic means. 8/20/14

EXEMPTED: Exempted signs include newspaper tubes, lawful mailboxes, road signs and public traffic devices. 11/19/13

FREESTANDING: Freestanding signs are supported by one or more upright poles, columns, or braces placed permanently in the ground and not attached to any building or structure.

GOVERNMENT: A sign located or erected by a political subdivision pursuant to law and serving an official function such as traffic control.

GROUND OR PYLON: A freestanding sign supported by one (1) or more uprights, poles, or braces affixed to the ground or a permanent foundation and which is entirely independent of any building for support. 8/20/14

IDENTIFICATION: Identification signs identify only the use or uses on the same lot by name and address.

PORTABLE: Portable signs are not permanently affixed to the ground or to a building, including any sign attached to or displayed on a vehicle that is used for the expressed purpose of advertising a business establishment, product, service, or entertainment, when that vehicle is so parked as to attract the attention of the motoring or pedestrian traffic. Also included is any sign originally designed or manufactured as a portable and/or mobile sign.

PROHIBITIVE: Prohibitive signs contain short messages such as "No Hunting" or "No Trespassing".

REAL ESTATE: A sign directing attention to the promotion, development, rental, sale, or lease of real property.

TEMPORARY: Temporary signs announce a seasonal or brief activity such as a community event, a public election, or the sale or rental of property on the same lot.

WALL: A sign painted on, attached to, and erected parallel to and within the limits of, the exterior face of a building wall and consisting of only one face.

WINDOW: A sign painted on, attached or affixed to the interior surface of a window or door of a building intended to be seen from the exterior.

SOIL AND WATER CONSERVATION DISTRICT (SWCD): The Geauga County, Ohio Soil and Water Conservation District, organized under Chapter 1515 of the Ohio Revised Code, including the Board of Supervisors and its designated employees. 11/17/04

SOIL DISTURBING ACTIVITY: Clearing, grading, excavating, filling or other alteration of the earth's surface where natural or human made ground cover is destroyed and which may result in, or contribute to, erosion and sediment pollution. 11/17/04

SOLAR PANEL: A photovoltaic panel or collector device, including any accessory equipment and mounting structures or hardware, which relies upon solar radiation as an energy source for the generation of electricity or heating.

SOLAR PANEL, ARRAY: An integrated assembly of solar panels with a support structure or foundation and other accessory components.

SOLAR PANEL, FREESTANDING: A solar panel or an array of solar panels that is not attached to a building and is mounted on a structure attached to the ground.

SOLAR PANEL, ROOF MOUNTED: A solar panel or an array of solar panels attached to the roof of a principal or accessory building.

SOUND: An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal or interval forces that cause compression and rarefaction on that medium, and which propagates at finite speed to distant points. The description of sound may include any characteristic of such sound, including duration, intensity and frequency. 11/19/13

SOUND LEVEL: The weight sound pressure level obtained by the use of a sound level meter and frequency weighing network, such as A, B or C as specified in American National Standards Institute specifications for sound level meter Publication 51.4-1971, or the latest approved revision thereof. If the frequency weighting employed is not indicated, the A-weighting shall apply. 11/19/13

SOUND-LEVEL METER: An instrument, including a microphone, amplifier, RMS detector and integrator, time average, output meter and/or visual display and weighting networks, that is sensitive to pressure fluctuations. The instrument reads sound pressure level when properly calibrated and is of type two or better as specified in American National Standards Institute Publication 51.4-1971 or the latest approved revision thereof. 11/19/13

SOUND PRESSURE LEVEL: Twenty times the logarithm of twenty micropascals (20 x 10^6 N/m^2). The sound pressure level is denoted Lp or SPL and is expressed in decibels. 11/19/13

SPECIAL EVENT means a temporary occasion, gathering or celebration for commercial for profit or non-profit purposes that is open to the public, held on public or private property including, but may not be limited to, fundraisers, marketing and promotional activities, receptions, festivals, carnivals, parades, walkathons, and marathons. However, a special event does not include a temporary occasion, gathering or celebration for noncommercial purposes that is not open to the general public held on private property for invited guests by the owner of the affected premises including, but may not be limited to, graduation parties, receptions, and other social activities.

STACKING LANE: a continuous queuing lane on the same lot as a drive-through, used by drive-through customers that consists of a designated set of tandem parking spaces which are separated from other vehicular traffic, pedestrian traffic and the parking area by the use of barriers, markings or signs.

STEALTH FACILITY: Any communications facility, which is designed to blend in with the surrounding environment. Such facilities may include architecturally screened roof mounted antennas, building mounted antennas painted to match the existing structure, antennas integrated into architectural elements, and antenna structures designed to look like light poles.

STORAGE CONTAINER means a portable enclosed structure or unit consisting of metal or other components for the temporary storage of goods, merchandise, materials, equipment, or other personal property. A storage container may also be known as a shipping container, an intermodal container, an ISO Container, or a Conex container. (12/2025)

STRUCTURE: Anything constructed or erected that requires location on the ground or is attached to something having location on the ground. 6/6/07

STRUCTURE ALTERATION: Any change in the supporting members of a building or structure such as bearing walls, columns, beams, or girders. 6/6/07

SWIMMING POOL: A permanent open tank or other structure designed to contain a depth of at least three (3) feet of water at any point for the purpose of swimming, wading, or soaking. 6/6/07

TAVERN: means a commercial retail establishment licensed by the Ohio Department of Commerce, Division of Liquor Control, located within a permanent, fully enclosed principal building wherein alcoholic and other beverages are served and sold to patrons for consumption. A tavern may or may not have a kitchen for food preparation and a dining area for the sale and consumption of food directly to patrons for consumption.

TELECOMMUNICATIONS: Technology permitting the passage of information from the sender to one or more receivers in a usable form by means of an electromagnetic system and includes the term personal wireless services.

TELECOMMUNICATIONS TOWER: Any free-standing structure, or any structure attached to a building or other structure, that meets all of the criteria set forth in R.C. 519.211 (B)(1)(a-e) and this Resolution.

TOT LOT: A recreation facility for pre-school children which may include fences, play apparatus, recreation structures, restrooms and signs.

TOWER: A structure that is mounted in the ground or affixed to a building or other structure that is used for transmitting or receiving television, radio, telephone or other communications.

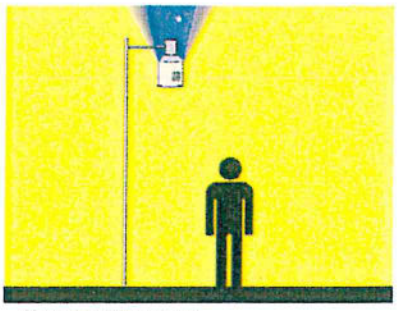
TRACTOR-TRAILER: An articulated truck consisting of a towing engine and a trailer that carries the freight; and, as further defined in Ohio Revised Code Sections 4501.01(D) and 4501.01(P). A tractor trailer also includes a "commercial tractor" as defined by O.R.C. 4501.01(D) and a "semi-trailer as defined by O.R.C. 4501.01 (P).

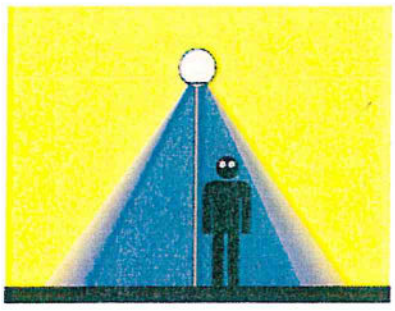
TYPE B FAMILY DAY-CARE HOME AND TYPE B HOME: A permanent residence of the provider in which childcare is provided for one (1) to six (6) children at one time and in which no more than three (3) children are under two (2) years of ages at one time as defined in the Ohio Revised Code Section 5104.01(VV). In counting children for the purposes of this definition, 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. Type B family day-care home and Type B home do not include any child day camp as defined in Ohio Revised Code Section 5104.01(l).

UNLICENSED WIRELESS SERVICE: The offering of telecommunications services using duly authorized devices, which do not require individual licenses, but does not mean the provision of direct to home satellite services.

UPLIGHTING: Any light source that distributes illumination above a 90-degree horizontal plane.

Uplighting





University of Texas, Austin

- Uplighting wastes energy into the sky.
- Causes glare, light trespass and harsh illumination.
- Uplighting is sometimes ineffective.

USE: Any purpose for which a building, structure or the land is developed or occupied including any activity, business or operation within a building, structure or on the land that is permitted within the affected zoning district as specified in this Resolution.

USE, CONDITIONAL: A use within a zoning district specifically listed in this Resolution other than a permitted use requiring approval by the township board of zoning appeals and the issuance of a conditional use certificate. 6/6/07

USE, NONCONFORMING: The use of a building, structure or lot, which was lawfully in existence at the effective date of this Resolution or amendment thereto and which does not conform to the use regulations for the zoning district in which it is located. 6/6/07

USE, PRINCIPAL OR MAIN: The principal use of a lot or structure.

VARIANCE: A modification or alteration of the regulations or strict terms of this Resolution by the Board of Zoning Appeals.

VARIANCE, AREA: Means a modification from the Zoning Resolution's requirements regarding, for example, lot area, lot width, front yard, side yard, rear yard, or percentage of lot coverage as a result of practical difficulties.

VARIANCE, USE: Means an alteration of the use of a lot as a result of unnecessary hardship.

VEHICLE: Anything that is or has been on wheels, runners or tracks. 6/6/07

VETERINARY HOSPITAL OR CLINIC: A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the clinic use.

WALKWAY: A pedestrian sidewalk or trail composed of bricks, stone, pavers, concrete or similar material for pedestrian use.

WAREHOUSE: Premises designed and built for the purpose of storage of raw materials or finished or partly finished goods, pending either onward transit or division into smaller batches and subsequent distribution. 3/11/08

WASTE WATER TREATMENT PLANT (WWTP): A facility at the end of a sanitary collection system, which processes the influent waste and discharges water to a receiving stream, treated to the standards of the Ohio EPA. 1/5/05

WATER, CENTRAL: A system, which may include a treatment plant, consisting of one or more wells or other sources of water supply joined by a pipelines so as to form a water distribution system subject to the approval of health and sanitation agencies or departments having jurisdiction.

WATERCOURSE: Any brook, channel, creek, river, or stream having banks, a defined bed, and definite direction of flow, either continuously or intermittently flowing. 1/5/05

WETLAND: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. (40 C.F.R. 232, as amended). 1/5/05

Wetlands, Category 1: A low quality wetlands classification as defined in Ohio Administrative Code (OAC) Rule 3745-1-54(C) of the Ohio EPA.

Wetlands, Category 2: A medium quality wetlands classification as defined in Ohio Administrative Code (OAC) Rule 3745-1-54(C) of the Ohio EPA.

Wetlands, Category 3: A high-quality wetlands classification as defined in Ohio Administrative Code (OAC) Rule 3745-1-54(C) of the Ohio EPA.

WIND TOWER: A monopole that may be freestanding or attached to a building that supports a wind turbine.

WIND TURBINE: The parts of a wind energy conversion system including the blades or airfoils and associated mechanical and electrical conversion components mounted to a wind tower.

WIRELESS TELECOMMUNICATIONS EQUIPMENT SHELTER: The structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.

WIRELESS TELECOMMUNICATIONS FACILITY: A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

YARD: Any open space on a lot bounded by its main buildings and lot lines. Each lot shall have four (4) yards, unless the main buildings on adjoining lots are connected by a party wall. See Appendix A.

YARD DEPTHS: The horizontal distances measured, perpendicular from each lot line to the nearest building line on the same lot. Building features such as awnings, cornices, eaves, outdoor porches, signs and steps shall not project more than five (5) feet into any required yard which shall be determined by its respective yard depths. See Appendix A.

ZONING CERTIFICATE: A permit issued by the Zoning Inspector in accordance with the regulations specified in this Resolution. 8/15/18