

ARTICLE 15

DEFINITIONS

Unless the context otherwise requires, the following definitions shall be used in the interpretations and construction of this Resolution; and words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the word "used" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used; and the word "shall" is mandatory and not directory.

SECTION 1

ABANDONED SIGN

- 1) any sign pertaining to a use which has been abandoned for sixty (60) days or more; 2) any sign publicizing an event which has already taken place or 3) any sign whose sign permit has expired.

ACCESSORY USE

A building or use which is subordinate to and incidental to that of the main building or use on the same lot.

ACCESSORY BANKING

A banking service office which may or may not include automated teller machines and does not include drive-through services of any kind. (Revised January 7, 2008)

ACTIVE RECREATION

Leisure time activities characterized by repeated and concentrated use of land, often requiring equipment and taking place at prescribed places, sites or fields. Examples of active recreation facilities include golf courses, tennis courts, swimming pools, softball, baseball, and soccer fields. For the purpose of these regulations, active recreation facilities do not include paths for bike riding, hiking, and walking and picnic areas. (Revised January 7, 2008)

AGGREGATE SITE

An area formed by one or more pieces of property which is intended to be used in a coordinated manner.

AGRICULTURE

The use of a tract of land for the planting, harvesting, and marketing of crops and produce; the breeding, feeding and marketing livestock; horticulture, floriculture, structures necessary for performing these operations; and the residence of the owner or operator. Such agricultural use shall not include the following uses:

1. The maintenance and operation of commercial greenhouses or hydroponic farms, except in zoning district in which such uses are expressly permitted.

2. Wholesale or retail sales as accessory use, unless the same are specifically permitted by this Resolution.
3. The feeding or sheltering of animals or poultry in penned enclosures within one hundred (100) feet of any Residential District. Agriculture does not include the feeding of garbage to animals, or the operation or maintenance of a commercial stockyard or feed yard.

AGRICULTURE STRUCTURE

A structure used solely for the purpose of agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.

ANIMAL HOSPITAL

An establishment where animals are given medical or surgical treatment and are cared for during the time of such treatment. Use of a kennel for keeping such animals shall be incidental to the primary hospital function. (Revised January 7, 2008)

ARTIFICIAL PLANT MATERIALS - See LANDSCAPING

ARCHITECTURAL FEATURE

Ornamentation or decorative feature(s) attached to or protruding from an exterior wall. Such features include cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments. (Revised January 7, 2008)

ASSOCIATION

A legal entity operating under recorded land agreements or contracts through which each unit owner in a conservation development is a member and each dwelling unit is subject to charges for a proportionate share of the expenses of the organization's activities such as maintaining common open space and other common areas and providing services needed for the development. An association can take the form of a Homeowner's Association, Community Association, Condominium Association or other similar entity. (Revised January 7, 2008)

AUTOMATED TELLER MACHINE (ATM)

An automated device that performs banking or financial functions as a location remote from the controlling financial institution. ATMs located within a building shall be considered an accessory use to the principal use. (Revised January 7, 2008)

AUTOMOBILE OR TRAILER SALES AREA

An open area, other than a street, used for the display, sales or rental of new or used motor vehicles or trailers in operable condition; and where no repair work is done.

AUTOMOBILE SERVICE STATIONS

A place where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public at either self or full service, and deliveries are made directly into motor vehicles, and may include greasing and oiling on the premises, and replacement or installation of parts and accessories, of a minor nature such as tuning-up an automobile engine, changing tires and other similar minor mechanical work.

AUTOMOBILE SERVICE STATION, REPAIR GARAGE

A place where gasoline, kerosene or other motor fuel or lubricating oil or grease for operating motor vehicles may be offered for sale to the public and deliveries are made directly into motor vehicles, and may include greasing and oiling on the premises and replacement or installation of parts and accessories, including major repair, spray painting, upholstery work, auto glasswork, welding, tire recapping, radiator repairs and other similar major mechanical work.

AUTOMOBILE WASHING ESTABLISHMENT

Any structure or part thereof used for washing of cars either by manual or assembly line techniques, utilizing employees or the car owner, or a combination of both.

AUTOMOBILE WRECKING

The dismantling or disassembling of used motor vehicles or trailers or the storage, sale or dumping of dismantled partially dismantled nonoperating or wrecked vehicles or their parts.

SECTION 2

BANNER

A non-rigid cloth or canvas graphic.

BENCH SIGN

A sign located on any part of a bench.

BILLBOARD SIGN

Any freestanding ground sign which has thirty-two (32) square feet or more of sign area per side.

BOARD

The Washington Township Board of Zoning Appeals.

BRICK

Nominal modular sizes of brick that meet ASTM Designation C-216 (solid masonry units made from clay or shale). (Revised June 21, 1999)

A masonry building material. A Brick shall be a minimum depth of 3-1/4 inches and have a footer/foundation or panel construction. (Revised June 21, 1999)

BUFFER

A designated area between uses or adjacent to the perimeter of natural features designed and intended to provide protection and which shall be permanently maintained. (Revised January 7, 2008)

BUFFER STRIPS

An area utilizing open space with the dispersion and absorption qualities of trees and other vegetation in the dissipation of noise, odors or unsightly conditions.

BUILDING

Any permanent or stationary structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, or property. At no time shall this definition be construed to include mobile homes or manufactured homes.

PRINCIPAL BUILDING - A non-accessory building which is used to conduct the principal use of the lot on which the building is located.

PUBLIC BUILDING - Administrative, service or cultural building operated by a tax supported agency, but not a garage or warehouse.

TEMPORARY CONSTRUCTION BUILDING - Structures of a temporary nature erected for a period not to exceed twelve (12) months for such uses as construction offices or storage buildings at a construction site with a floor area not to exceed 15 foot by 20 foot.

BUILDING ARTICULATION

Architectural composition in which elements and parts of the building are expressed logically, distinctly, and consistently, with clear joints. (Revised January 7, 2008)

BUILDING CANOPY

A rigid, multi-sided structure covered with fabric, metal or other material and support ay a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. (Revised January 7, 2008)

BUILDING COVERAGE

The horizontal area measured within the outside of the exterior walls of the ground floor of a structure. (Revised January 7, 2008)

BUILDING ENVELOPE

An area within a conservation development that is designated as a location within which a dwelling unit is to be placed in compliance with the building

setback and spacing requirements established by the Washington Township zoning regulations. (Revised January 7, 2008)

BUILDING HEIGHT

The vertical distance from the average grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for a gable, hip and gambrel roofs.

BUILDING SETBACK

The closest point at which a building may be constructed in relation to the lot line.

BUILDING SCREEN WALL

A solid wall hiding or screening a view which can be solid or perforated with decorative, architectural elements. (Revised January 7, 2008)

SECTION 3

CALIPER

A horticultural method of measuring the diameter of nursery stock. For trees less than four (4) inches in diameter, the measurement shall be taken at six (6) inches above the ground level. For trees greater than four (4) inches in diameter up to and including twelve (12) inches, the caliper measurement shall be taken at twelve (12) inches above the ground level. For trees greater than twelve (12) inches in diameter, the measurement shall be taken at four and one-half (4 ½) feet above the ground. (Revised January 7, 2008)

CAMPING AND RECREATIONAL EQUIPMENT AND VEHICLES

As used in this Resolution, camping and recreational equipment and vehicles are defined as, and shall include:

BOAT AND BOAT TRAILER - Boat and boat trailer shall include boats, floats and rafts plus the normal equipment to transport the same on the highway.

FOLDING TENT TRAILER - A folding structure, mounted on wheels and designed for travel and vacation uses.

MOTORIZED HOME (MOTOR HOME) - A portable dwelling designed and constructed as an integral part of a self-propelled vehicle and is suitable for use as a temporary dwelling for travel, recreational or vacation use, and can be used in business and pleasure as a second vehicle and licensed as a house vehicle.

PICK-UP CAMPER (TRUCK CAMPER) - A structure designed primarily to be mounted on a pick-up truck or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational or vacation uses and licensed as a house vehicle.

TRAVEL TRAILER - A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses.

CANOPY SIGN

- 1) Any sign placed on or supported entirely by a rigid or nonrigid shelter or other structure projecting out from any exterior wall or portion of a building or other structure; or
- 2) Any sign attached to or suspended under any rigid or nonrigid portion or support of a building or other structure, including, but not limited to, a breezeway, pedestrian passageway, porch or veranda. Vertical clearance shall not be less than eight (8) feet.

CHANGEABLE COPY SIGN, ELECTRONIC

A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. If automated, the message on such signs shall be programmed to change not more than one (1) time per twenty (20) minutes, except that any portion of a sign displaying only the current time and temperature may change one (1) time per minute. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.

CHURCH

A building used as a place of religious worship including a church, religious temple or other place of worship, including parish house and educational unit.

CIVIC SPACE

An open area which may include parks, greens, squares, plazas and playgrounds commonly open to the general public and available for use and enjoyment of the public. (Revised January 7, 2008)

CLINIC

An establishment where patients, animal or human are not lodged overnight, but are admitted for examination and treatment by a doctor or group of doctors practicing medicine and/or dentistry together.

CLUB, PRIVATE

A building or portion thereof, or premises owned by a corporation, association, person or persons for a social, educational or recreational purpose, not primarily for profit nor to render a service which is customarily carried on as a business.

COMMERCIAL SPEECH

Speech done on behalf of a company or individual that is economic in nature and

usually has the intent of convincing the audience to partake in a particular action, often purchasing a specific product.

COMMISSION

The Washington Township Zoning Commission.

COMMON AREA

Any land area, and associated facilities, within a conservation development that is held in common ownership by the residents of the development through a Homeowners' Association, Community Association or other legal entity, or which is held by the individual members of a Condominium Association as tenants-in-common. (Revised January 7, 2008)

COMMON OPEN SPACE

An area substantially open to the sky which may be on the same lot with a building, or adjacent to a building or buildings, which is publicly or privately maintained property.

COMMUNITY

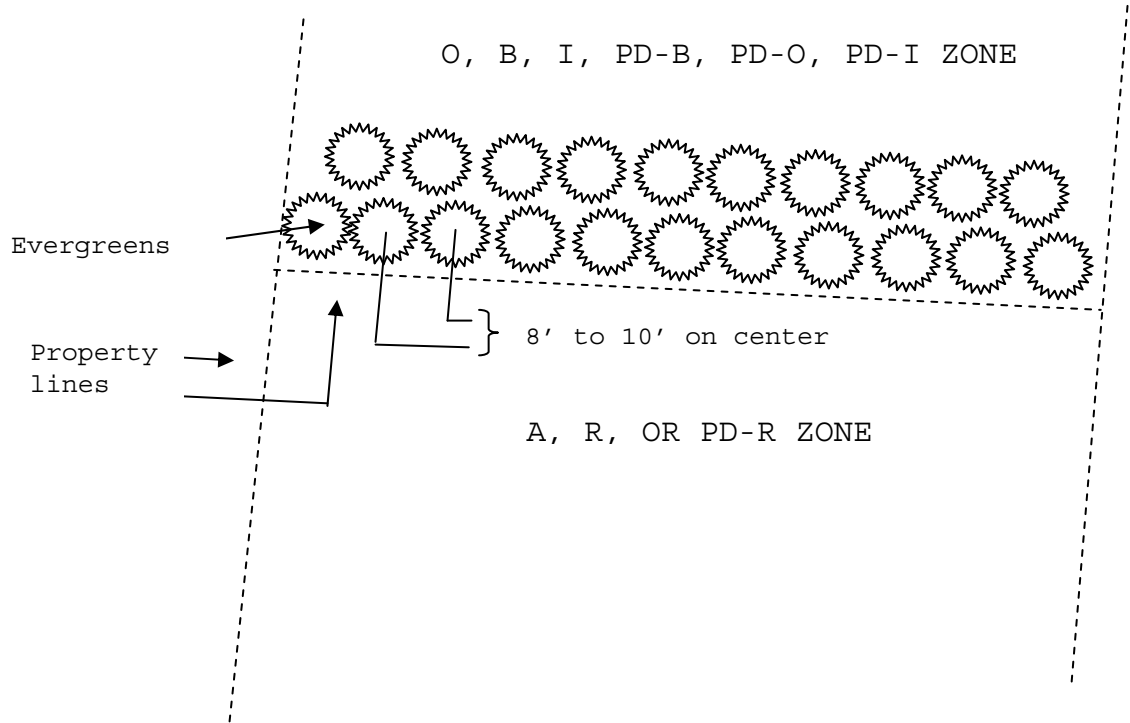
The area of land, residents and businesses located within the unincorporated and incorporated area of Washington Township. (Revised June 21, 1999)

COMMUNITY BUSINESS

A business which relies primarily on the patronage of the community. (Revised June 21, 1999)

COMPACT HEDGE OF EVERGREENS

Pine or Spruce trees such as Black Hill Spruce, Norway Spruce, Colorado Spruce, White Pine, Austrian Pine or Scotch Pine arranged in a staggered manner in such a way to form a visual barrier (see drawing below).



COMPATIBLE

Consistent in building design, mass and construction. Well matched and possessing harmonizing qualities. (Revised June 21, 1999)

CONDITIONAL USE

A use permitted within a district other than a permitted use, requiring a Conditional Use Certificate and approval of the Board of Zoning Appeals provided that, prior to approval, conditions required by the Board have been met.

CONDITIONAL USE CERTIFICATE

A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a permitted use to be established within the zoning district, provided that prior conditions for approval have been met.

CONDOMINIUM

The same as DWELLING, MULTIPLE-FAMILY where each family owns its own dwelling unit but where the common areas of the building and site are owned and maintained jointly among the occupants.

CONSERVATION DEVELOPMENT

A contiguous area of land to be planned and developed as a single entity, in which housing units are accommodated under more flexible standards, such as building arrangements and setback, than those that would normally apply under single-family district regulations, allowing for the flexible grouping of houses in order to conserve open space and existing natural resources. (Revised January 7, 2008)

CONSERVATION EASEMENT

A legal interest in land which restricts development and other uses of the property in perpetuity for the public purpose of preserving the rural, open, natural or agricultural qualities of the property, as authorized by ORC 5301.67 through 5301.70. (Revised January 7, 2008)

CONVALESCENT OR REST HOME

An establishment which provides full-time convalescent or chronic care or both, for three or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity are unable to care for themselves. No care for the acutely ill, or surgical or obstetrical services shall be provided in such a home.

CONVENIENCE ESTABLISHMENT

A business which is similar to a neighborhood business and is integrated within a residential Planned Development. (Revised June 21, 1999)

CONVENIENCE USE

A use that provides goods and services generally necessary or desirable for everyday living such as prepackaged food items, periodicals, and other minor household goods. Services can include drycleaning, photo processing, and other similar activities. (Revised January 7, 2008)

CORD (WOOD)

A unit of volume used chiefly for fuel wood, equal to 128 cu. ft. usually specified as eight (8) feet long, four (4) feet wide, and four (4) feet high. (Revised January 7, 2008)

CURB CUT

A break in the curb on a public or private street or access that allows vehicular ingress and/or egress between a property and the abutting street or access. (Revised January 7, 2008)

SECTION 4

DAY CARE CENTER

Any place which receives children for supervision and is required a license by the state or local officials to operate. This definition shall also include private schools, nursery, preschool centers, play and special schools.

DENSITY

The number of dwelling units per gross acre constructed or allowed to be constructed. The maximum density in any P D Zone shall be Six (6) dwelling units per gross acre for multi-family and One point seven five (1.75) dwelling units per gross acre for single-family.

DEVELOPMENT PLAN

A proposal including drawing(s) and map(s) for a "PD-RC" planned development residential conservation district, prepared in accordance with these regulations, illustrating the proposed design, layout and other features for the development and including all elements set forth in Section 7. (Revised January 7, 2008)

DEVELOPMENT STANDARDS

Standards controlling the size of structures and the relationships of structures and uses to each other and to open areas and lot lines.

DISTRICT

A portion of the unincorporated territory of Washington Township throughout which the zoning regulations and requirements are uniform.

DOG KENNEL

A building or structure which may also include outdoor pens or runs for dogs, which houses or boards four or more dogs aged four months or older for a fee, or an establishment for the breeding of dogs.

DRAINAGE

A water course, gully, dry stream, creek or ditch which carries storm water runoff, which is subject to flooding or ponding, which is fed by street or building gutters or by storm water sewers, or which serves the purpose of draining water from the lands adjacent to such water course, gully, dry stream, creek or ditch.

DRIVE-THROUGH CANOPY

A freestanding roof structure over drive-through facilities.

DRIVEWAY

Pavement, be it asphaltic or portland cement binder, which connects a public or private street with one structure.

DWELLING

Any building or portion thereof occupied or intended to be occupied exclusively for residential purposes, but not including a tent, cabin, trailer or trailer coach or other temporary or transient structure or facility.

DWELLING, SINGLE FAMILY - A detached building designed for or occupied exclusively by one family.

DWELLING, SINGLE-FAMILY, ATTACHED

Dwelling units that are structurally attached to one another, side by side, and erected as a single building, with a limit of six (6) units per building, each dwelling unit being separated from the adjoining unit or units by a party wall without openings extending from the basement floor to the roof with each unit including separate ground floor entrances, services, and attached garages. (Revised January 7, 2008)

DWELLING, SINGLE-FAMILY, CLUSTER

A building that is designed and used exclusively by one family and separated from all other dwelling units by air space from ground to sky, which is grouped with other dwellings on a site and which may be located on its own subdivided lot without a front, side and/or rear yard in compliance with the standard zoning district regulations. (Revised January 7, 2008)

DWELLING, DETACHED, SINGLE-FAMILY

A building designed for, or used exclusively for, residence purposes by one family situated on a parcel having a front, side, and rear yard. (Revised January 7, 2008)

DWELLING, MULTIPLE FAMILY - A building designed for or occupied exclusively by two, three or four or more families.

GUEST HOUSE - A single family dwelling located on the same lot and to the rear of a principal dwelling without kitchen facilities with a gross floor area of not more than one-half (1/2) the gross floor area of the principal dwelling and used only by the owners of the property and members of their immediate families, by persons employed on the premises and their immediate families, or for a period of not more than one month by non-paying guests of the owners. The guesthouse is not to be rented or leased.

DWELLING, REAR - A single family dwelling located on the same lot as and to the rear of a principal dwelling with kitchen facilities with a gross floor area of not more than one-half (1/2) the gross floor area of the principal dwelling and used only by the owners of the property and members of their immediate families, by persons employed on the premises and their immediate families, or for a period of not more than one month by non-paying guests of the owners. The rear dwelling is not to be rented or leased.

DWELLING UNIT - One room, or a suite of two or more rooms, designed for or used by one family for living and sleeping purposes and having only one kitchen.

SECTION 5

EARTH TONE

Any of the neutral colors found in nature, such as cream, beige, light yellow, hunter green, brown, clay, taupe, slate blue. (Revised June 21, 1999)

EARTH TONE ACCENT COLORS

Colors which are complimentary or brilliant and sharply contrasting to the neutral base colors of a building or surrounding uses. Accent colors are to be no more than 20 percent of each side of the building's color. Examples of earth tone accent colors found throughout the township are hues and shades of: green, blue, yellow, red, orange, purple and colors found in glazed brick. (Revised June 21, 1999)

EARTH TONE BASE COLORS

Neutral muted earth tone colors which are the primary base colors for a building or project. These colors are not to be sharply contrasting or bold and shall be complementary to surrounding land uses. Examples of earth tone base colors found throughout the township are beige, brown, grays, colors found in natural clay bricks. (Revised June 21, 1999)

EARTHTONE COLORS

Base and accent. (Revised June 21, 1999)

EASEMENT

Authorization by a property owner for the use by another, for a specified purpose, of a designated part of his property.

EATING PLACE NO. 1

An establishment, other than a dining room operated by a hotel, motel or private club offering food and beverages which may include liquor, beer and wine, if licensed by the State of Ohio, for consumption only inside the building.

EATING PLACE NO. 2

An establishment having the attributes of an Eating Place No. 1, and which also provides live entertainment.

EATING PLACE CARRY-OUT

An establishment offering food and beverages, which may include liquor, beer and wine, if licensed by the State of Ohio, where the food and beverages are dispensed at the counter for consumption within the building or off the premises.

EATING PLACE DRIVE-IN OR DRIVE-THRU

An establishment offering food and beverages, which may include liquor, beer and wine if licensed by the State of Ohio, where the food and beverages are served directly to persons while in motor vehicles, or where the food and beverages are dispensed at the counter for consumption on or off the premises.

ELECTRONIC GRAPHIC DISPLAY SIGN

A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

ESSENTIAL SERVICE

The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use enlargement by public utilities or township or other governmental agencies or underground or overhead gas, electrical, stream or water generation, transmission or distribution systems, including buildings, structures, towers, pole wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment or accessories and the use of land in connection therewith, for the furnishing of adequate service by such public utilities, township or other governmental agencies or for the public health, safety and general welfare.

EXPRESSWAY

A divided arterial highway for large amounts of fast, through traffic with limited and controlled access. These highways function as a carrier of traffic primarily to and from the urban area.

SECTION 6

FAMILY

One or more persons occupying a dwelling unit and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, motel, hotel, fraternity or sorority house. However, if the persons are not related by blood, marriage or adoption no such family shall contain over three (3) persons.

FARMING, INCIDENTAL

Gardening, the raising of vegetables or fruits and the keeping of domestic or farm animals exclusively for the use of personal enjoyment of the residents on the premises and not for commercial purposes.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

The agency with the overall responsibility for administering the National Flood Insurance Program. (Revised January 7, 2008)

FENCE

A boundary enclosure or separating barrier made of wire, wood, metal, masonry or other material which is inanimate.

FINISHED GRADE

The final elevation of the ground surface after man-made alterations such as grading, filling and excavating have been made on the ground surface. (Revised January 7, 2008)

FLOODPLAIN

Any land susceptible to being inundated by water from any source. Base Flood or the one-hundred (100) year flood as defined by FEMA Federal Emergency Management Agency is the flood that has a one percent or greater chance of being equaled or exceeded in any given year. (Revised January 7, 2008)

FLOODWAY

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. The channel of a river or stream and those portions of the flood plains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flow of the regulatory flood of any river or stream. (Revised January 7, 2008)

FLOOR AREA

The total horizontal area of all floors finished as usable area. Measurement of floor area shall be taken to the outside of the exterior walls. Floor area shall not include: unfinished basement; elevator and stair bulkheads; attic space; terraces, breezeways and open porches; uncovered steps; and garages.

FREESTANDING GROUND SIGN

A sign suspended or supported by one or more uprights or braces in or upon the ground surface. Whenever a sign is supported in a freestanding manner in addition to being mounted to a wall, the sign shall be subject to the requirements for a freestanding ground sign.

SECTION 7

GARAGE

PRIVATE GARAGE - A garage located on the same lot as the main building and accessory to it, and not open to the public.

PUBLIC GARAGE - A garage, other than a private garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor vehicles.

GARAGE SALE

The sale or offering for sale to the general public items of personal property on any portion of a lot in a residential zoning district, whether within or outside of a structure. (Revised January 7, 2008)

GARAGE/YARD SALE SIGN

A temporary sign on residential property and used to identify a garage or yard sale on the premises.

GARDEN CENTER - COMMERCIAL GREENHOUSE AND NURSERY

The selling and growing of plants, flowers, vegetables, shrubs and trees including the selling and warehousing of garden equipment and supplies and the storage of bulk gardening items, bagged and/or on pallets.

GREENHOUSE - A sun or artificially heated structure in which to grow plants, flowers or vegetables. Its framework is of sufficient durability to withstand at least 20 years of normal wear.

HOTHOUSE - A sun or artificially heated structure in which to grow, or the growing out of season, plants, flowers or vegetables or a form of agriculture whose chief function is the field growing of plants, shrubs and trees. Its framework is generally light and has a normal wear expectancy of less than 10 years.

NURSERY - A form of agriculture whose chief function is the field growing of plants, shrubs and trees.

GLARE

The reflection of harsh, bright light and the physical effect resulting from high luminances or insufficiently shielded light sources in the field of view. The effect resulting from a brightness sufficient to cause annoyance, discomfort or loss of visual performance and visibility. (Revised January 7, 2008)

GREEN SPACE

Area of land which is used exclusively for grass, trees, landscaping and other non-noxious living ground cover. (Revised June 21, 1999)

GOLF COURSE

COMMERCIAL - A golf course, operated for profit, of nine regulation holes or more and its customary buildings and structures.

PRIVATE - A private, non-commercial golf course of nine regulation holes or more and its customary buildings and structures.

GRADE

The average elevation of the surface of the ground adjoining the building after construction of required parking areas, and driveways and after landscaping and other improvements are in place.

SECTION 8

HEALTH CARE FACILITIES

Health care facilities are all medical facilities for humans, including outpatient facilities, rehabilitation facilities, and facilities for long term care, including nursing homes.

HEALTH DEPARTMENT

The Dayton-Montgomery County Health Department.

HERITAGE TREE

Any tree having a trunk with a circumference of forty-seven point one (47.1) inches (diameter of 15 inches) or more measured at fifty-four (54) inches above natural grade and any tree or group of trees specifically designated by the Township Trustees for protection because of its historical significance, special character or community benefit. (Revised January 7, 2008)

HOME OCCUPATION

Any occupation conducted in its entirety within a dwelling unit, provided that no person other than members of the family residing on the premises shall be engaged in such occupation and the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to use for residential purpose by its occupants, provided that:

- A. Said occupation does not require a state or local license and/or inspection.
- B. It does not occupy more than two hundred (200) square feet of floor area within the dwelling unit and does not require alteration of the structure.
- C. There are no displays that will indicate from the exterior that the premises are being used for a non-residential purpose.
- D. The only mechanical equipment installed or used is that which is normally used for domestic or household purposes.

HOSPITAL, ANIMAL

Any building or other enclosed structure containing space for any animals not belonging to the operator or such facility which allows for overnight or continuous care, diagnosis and treatment of animal illnesses or injuries.

HOSPITAL, HUMAN

Any building or other structure containing beds for at least four patients allowing

for overnight or continuous care, diagnosis and treatment of ailments.

HOTEL

An establishment in which lodging is provided and offered to the public for compensation, and which is open to transient guests typically for brief periods of time. (Revised January 7, 2008)

A building other than an apartment house, boarding house, lodging house or motel providing sleeping accommodations for 20 or more transients or permanent guests and in which access to rooms is only through an inside lobby supervised by a person in charge at all hours, and which may or may not contain a restaurant.

EXTENDED STAY HOTEL

An establishment containing guest rooms which are used, rented or hired out to be occupied for sleeping purposes, can contain kitchen facilities and typically are rented for a week or more per guest. (Revised January 7, 2008)

SECTION 9

ILLUMINATED SIGN

A sign that is lighted by an artificial light source.

INDOOR COMMERCIAL ENTERTAINMENT FACILITY

A building or fully enclosed structure housing spectator uses. Typical uses include motion picture theaters, concert/music halls and banquet centers. (Revised January 7, 2008)

INDUSTRIAL PARK

An Industrial Park is a tract of land, the control and administration of which are vested in a single body, suitable for industrial use because of location, topography, proper zoning or availability of utilities. The uses permitted are regulated by protective minimum restrictions including size of site, parking and loading regulations and building setback lines from front, side and rear yards. The front yards, and side yards adjacent to streets, are to be landscaped in conformance to planning standards set for the park. All requirements are to be compatible with the community and surrounding land uses in accordance with a comprehensive plan to enable a group of industries to operate efficiently within it.

SECTION 10

JUNK

Old or scrap copper, brass, rope, rags, batteries, paper, rubber, junked, dismantled or wrecked automobiles or parts thereof; iron, steel and other old or scrap ferrous or nonferrous materials which are not held for sale or remelting purposes by an establishment having facilities for processing such materials.

JUNK YARD

A place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, handled and stored, including auto wrecking yards, house for storage of salvaged house wrecking and structural steel materials and equipment, and land used for the storage of any materials defined as JUNK.

SECTION 11

KENNEL, ANIMAL SHELTER - SEE DOG KENNEL.

KIOSK

An accessory structure upon which public information, retail sales of products and/or services are available. These structures may include a drive-thru component. (Revised January 7, 2008)

SECTION 12

LAND TRUST

A non-profit, tax-exempt entity whose primary purpose includes the preservation of open space, natural land, rural land, or agricultural land, and which is permitted to hold conservation easements under ORC 5301.68. (Revised January 7, 2008)

LAND USE BUFFER/MOUNDING

Land area used to separate or visibly shield and/or screen one use from another. (Revised January 7, 2008)

LANDSCAPING

The improvement of a lot, parcel or tract of land by means of grass, ground cover, shrubs, hedges, trees, or other vegetation. Landscaping may include pedestrian walks, flower beds, ornamental objects such as fountains, statuary and other similar natural and artificial objects designed and arranged to produce an aesthetically pleasing effect.

LIVE ENTERTAINMENT

Any entertainment provided in eating places, other than music mechanically produced by juke boxes or other devices for the dissemination of recorded music. Not to include sexually oriented businesses. (Revised February 12, 2001)

LOADING SPACE

An off-street area, used exclusively for loading and unloading, at least 10 feet wide, 65 feet long, and 14 feet high, within or outside a building, and located at the side or rear of the building it serves, for the temporary parking of commercial vehicles which are loading or unloading merchandise or materials; and which abuts upon a street, alley 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 main building together with its accessory buildings, the yard areas and parking areas required by this Resolution, and having its principal

frontage upon the street. For the purpose of the Conservation Development regulations, a lot or subplot shall be a parcel of land owned fee simple and intended for a single dwelling unit whether or not such lot or subplot is located with frontage on a dedicated street. (Revised January 7, 2008)

CORNER LOT - A lot at the intersection of and abutting two streets, such streets forming an interior angle of less than 135 degrees.

DOUBLE FRONTAGE LOT- A lot having frontage on two streets not at their point of intersection.

INTERIOR LOT - A lot, other than a corner lot, with frontage only on one street.

LOT AREA - The computed area contained within the lot lines, excluding right-of-way.

LOT DEPTH - The mean distance between front and rear lot lines.

LOT FRONTAGE - The length of the front lot line.

LOT LINE

FRONT LOT LINE - A street right-of-way line forming the boundary of a lot. On a corner lot, both street right-of-way lines shall be the front lot line.

REAR LOT LINE - The boundary opposite and most distant from the front lot line. The rear lot line of any irregular or triangular lot shall be a line not less than 20 feet long, lying wholly within the lot and more or less parallel to and most distant from the front lot line except in the case of a corner lot the rear lot line may be a point most distant from the front lot lines at which two side lot lines intersect.

SIDE LOT LINE - Any lot line other than a front or rear lot line.

LOT WIDTH - The width of the lot measured at the building setback line.

LOT OF RECORD

Any lot which individually or as a part of a subdivision has been recorded in the office of the Recorder or Auditor of Montgomery County, or on which the recording has been delayed by mutual consent of the subdivider, developer and Washington Township, Ohio.

SECTION 13

MAILBOX SIGN

A sign which is suspended from, painted on, attached to or supported by an authorized mailbox structure.

MAIN PUBLIC ACCESS

The primary point of entry for a building or place that can be a street, lane, drive isle, pedestrian way or other facility in which the general public has a right of use.

(Revised January 7, 2008)

MANUFACTURED HOME

Any non-self-propelled vehicle transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating and electrical system contained therein.

MANUFACTURING

The assembling, altering, converting, fabricating, finishing, processing or treatment which combines one or more raw materials or components into a product.

MARQUEE SIGN

A sign which projects above an entrance or is mounted upon a roof-like shelter, as of glass, projecting above an outer door and over a sidewalk or terrace and provides for the additional loading of graphics.

MASTER PLAN

A plan adopted by Washington Township showing the recommended location and extent of present and future land use development and transportation facilities including housing; industrial and commercial establishments; highways and roads; schools and parks and other Township land uses. This Plan establishes the goals and objectives and policies of Washington Township toward land use.

MULTI-VISION SIGN

Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

MOTEL

A building or group of buildings on the same lot, other than an apartment house, boarding house, lodging house or hotel, providing lodging only for paying transient motorists and containing rooms accessible from the parking area.

SECTION 14

NATURAL FEATURE

An existing component of the landscape maintained as a part of the natural environment and having ecological value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, the natural diversity of plant and animal species, human recreation, reduction of climatic stress, and energy costs. (Revised January 7, 2008)

NEIGHBORHOOD

A residential or commercial area with similar types of properties, buildings of similar value or age, predominant land-use activities, and natural or fabricated geographic boundaries, such as natural topographical features, roadways or abrupt changes in land use. The area or region surrounding a place limited by the recorded subdivision or a maximum radius of less than one-half (1/2) miles, whichever is less. (Revised June 21, 1999)

A residential area which may include commercial uses. (Revised June 21, 1999)

NEIGHBORHOOD BUSINESS

A business which is primarily supported by the residents and businesses within the neighborhood the business is located. (Revised June 21, 1999)

NEIGHBORHOOD PARK - SEE PARK.

NON-CONFORMING USE

The lawful use of any dwelling, building or structure and of any land or premises, as existing and lawful at the time of enactment of this Resolution or any amendment thereto, which does not conform with the use regulations of the district in which it is located.

NON-CONFORMING SIGN

Any sign existing at the time of the enactment of this section which does not conform to its provisions but which was originally erected in accordance with previously adopted regulations shall be deemed a legal non-conforming sign.

NURSING HOME

A privately operated State licensed place of domicile or other facility which provides skilled nursing and dietary care for persons who are ill or incapacitated, or service for the rehabilitation of persons who are convalescing from illness or incapacitation.

SECTION 15

OCCUPANCY PERMIT

A document issued by the Zoning Inspector stating that a building, structure or land complies with the provisions of this Resolution and authorizing occupancy and use of said premises.

OFFICE

A place where a particular kind of business is transacted or a service is supplied.

OFFICIAL THOROUGHFARE PLAN

The official plan for the major highways and streets in Montgomery County on file in the office of the County Recorder and the County Planning Commission, with all amendments and supplements thereto.

OPEN SPACE

An area that is intended to provide light and air and free of any man made structures. Open space may include, but is not limited to, meadows, wooded area, and waterbodies and land designed specifically for recreation. See also Restricted Open Space. (Revised January 7, 2008)

A parcel of land or an area of water or combination of both land and water, and designed and intended for the use and enjoyment of the residents. Open space includes easements, parks, recreation areas, public open space, or other facilities dedicated by the developer for public use. Open space shall be substantially free of structures, or may contain such improvements as are approved as a part of the general development plan and are appropriate for the residents.

OPEN STORAGE

Storing or keeping of chattels not enclosed in a building.

OUTDOOR ADVERTISING DISPLAY

A fixed or portable appliance, structure or surface, including the supporting structure made necessary thereby, erected upon the ground, on the wall of a building, or above the roof of a building, and used and erected for the public display of posters, painted displays, electrical displays, pictures or other items. (Revised January 7, 2008)

SECTION 16

PARK

PARK LOT - A park, playground, community center, wildlife preserve, recreation or conservation area owned and operated by a tax-supported agency in the public interest and including buildings and structures customary for its operation.

PARKING SPACE - An improved area of 180 square feet, a minimum of nine (9) feet in width and a minimum length of eighteen (18) feet within or outside a building, permanently reserved to store one automobile, exclusive of aisles. (Revised January 8, 2001)

PEDESTRIAN FACILITIES

Elements of a development for the intended use and enjoyment of pedestrians which include amenities such as walkways, benches and other outdoor seating, bus waiting areas, sidewalk displays, trash containers, fountains, statues, paths and plazas. (Revised January 7, 2008)

PERENNIAL STREAM

A natural waterway that contains water throughout the year except in severe drought. (Revised January 7, 2008)

PERFORMANCE BOND

An agreement by a developer with the Township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the developer's agreement.

PERFORMANCE STANDARDS

Performance standards are quantitative tests given to a prospective use of the land to determine whether the use is in harmony with the purpose of the zone. Definite measurements are made for: noise, smoke, odor, dust and dirt, noxious gases, glare and heat, fire hazards, industrial wastes, transportation and traffic, aesthetics and psychological effects.

PERFORMANCE USE

A use not specifically listed in any of the permitted buildings or use classifications of any district, but which may be found analogous and added to a classification.

PERSONAL SERVICES

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

PLANNED DEVELOPMENT

Planned Development is:

- A. Land under unified control, planned and developed as a whole.
- B. In a single development operation or a definitely programmed series of development operations including all lands and buildings.
- C. According to comprehensive and detailed plans which include not only streets, utilities, lots or building sites and the like, but also site plans and design principles for all buildings as intended to be located, constructed, used and related to each other; and detailed plans for other uses and improvements on the land as related to buildings.
- D. With a program for provision, operation and maintenance of such areas, improvements and facilities necessary for common use by some or all of the occupants of the development but which will not be provided, operated or maintained at general public expense.

POLITICAL SIGN

A sign advertising a candidate or candidates for public elective office or soliciting votes in support of or against any proposition or issue at any general, primary, special, school or any other election decided by ballot or a temporary sign expressing political opinion.

PORTABLE SIGN

A sign which is suspended or supported by one more uprights or braces upon a ground surface in a manner that it can be moved or relocated without any structural or support changes and which is intended to be displayed for a limited period of time.

PROJECT BOUNDARY

With regard to Article 12 of this Resolution, Residential Conservation development, the boundary defining the tract(s) of land that is included in a development project to meet the minimum required project area. The term “project boundary” shall also mean “development boundary.” (Revised January 7, 2008)

PROJECTING SIGN

A sign suspended from or supported by a building or structure and extending there from a distance greater than fifteen (15) inches. Freestanding ground signs and marquee signs are not projecting signs.

PUBLIC IMPROVEMENT

Any roadway, sidewalk, pedestrian way, tree lawn, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or that may affect an improvement for which responsibility by the local government is established. (Revised January 7, 2008)

PUBLIC SAFETY

The prevention of loss of life or property by initiating programs including standards and procedures which induce the efficient and safe movement of pedestrian and vehicular traffic and the sound orderly configuration of development within a given area.

PUBLIC WORKS DIRECTOR

The Public Works Director shall be the same as the Washington Township Road Superintendent. (Revised January 8, 2001)

SECTION 17

RECREATIONAL FACILITIES

Uses such as country clubs, golf courses or other private recreation areas or facilities, or recreation centers including private community swimming pools.

RECREATION SPACE – All areas, open or enclosed, available for the general use of the residents of a Planned Residential District for active or passive recreation. Recreation space shall be provided in locations easily accessible to the living units, but where they will not impair the view and privacy of living units.

RECREATIONAL VEHICLE – SEE CAMPING AND RECREATIONAL EQUIPMENT AND VEHICLES.

REGIONAL

The geographic areas beyond the community. (Revised June 21, 1999)

REGIONAL BUSINESS

A businesses which relies more on regional patronage rather than the community for their success. (Revised June 21, 1999)

REFUSE

Refuse shall mean combustible and noncombustible waste materials.

RESOURCE AND MINERAL EXTRACTION

Any mining, quarrying, excavating process, storing, separating, cleaning or marketing of any mineral natural resource.

RESTAURANT, CARRY OUT/TAKE OUT

Establishments where food is typically ordered off-site, prepared on the premises for consumption off-site with no seating of other area provided for consumption on-site. Food may be delivered from the site and/or picked up by the customer at the site. (Revised January 7, 2008)

RESTRICTED OPEN SPACE

Within a conservation development, open space within a conservation development that is sufficient size and shape to meet the minimum zoning requirements, that is restricted from further development according to the provisions in this chapter. (Revised January 7, 2008)

RIPARIAN BUFFER

A naturally vegetated area located adjacent to streams and rivers that is intended to stabilize banks and limit erosion including boulders and other natural materials. (Revised January 7, 2008)

ROOF SIGN

Any sign which is erected over the roof or parapet above the roofline and/or receives any or all its support from the roof structure.

ROOM, HABITABLE

A room occupied or designed to be occupied by one or more persons for living, sleeping, eating or cooking, including bathrooms, toilet compartments, laundries, pantries, cellars, attics for storage and other similar spaces.

SECTION 18

SAWMILL, TEMPORARY

A sawmill for removing timber from premises or abutting property for a period of 12 months or less.

SCHOOL – PUBLIC OR PRIVATE ACADEMIC

Any public or non-public elementary or secondary school which meets and adheres to the minimum standards for such schools as established by the State of Ohio Board of Education.

SCREEN WALLS

A constructed solid barrier that closes, marks or borders an area and creates a visual shielding or obscuring of the view from one side of the wall to another.

(Revised January 7, 2008)

SEMITRAILER

A non-motorized vehicle designed or used for carrying property with another and separate motor vehicle so that in operation, a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle.

SERVICE CLUB

An association organized and operated not for profit for persons who are bonafide members paying annual dues, which owns, hires or leases premises, the use of which premises is restricted to such members and their guests. The affairs and management of such an association are conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting. Food, meals and beverage may be served on such premises provided adequate dining room space and kitchen facilities are available. Alcoholic beverages may be sold or served to members and their guests, provided such service is secondary and incidental to the promotion of some other common objective of the organization and further provided that such sale or service of alcoholic beverages is in compliance with all applicable federal, state, county and local laws.

SETBACK

The required distance between a building and a lot line, street right-of-way, pavement, stream or riverbank, wetland or other delineated site feature. (Revised January 7, 2008)

SEXUAL ACTIVITIES

Human genitals in a state of stimulation or arousal; acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus, or fellatio; fondling or other touching of human genitals, pubic region, buttock or female

breasts. (Revised February 12, 2001)

SEXUALLY ORIENTED BUSINESS (Revised February 12, 2001)

Sexually oriented businesses include the following categories:

A. Adult Arcade – A commercial establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image-producing machines, for viewing by five or fewer persons each, are regularly used to show films, motion pictures, video cassettes, slides, or photographic reproductions characterized by the depiction or description of specified “sexual activities” or “specified anatomical areas”.

B. Adult Bookstore, Adult Novelty Store or Adult Video Store – A commercial establishment which has twenty-five percent or more of its stock-in-trade, or derives a twenty-five percent or more of its revenues, or devotes twenty-five percent or more of its interior business or advertising to the sale, rental for any form of consideration, of any one or more of the following:

1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations, characterized by the depiction of specified “sexual activities” or “specified anatomical areas”;
2. Instruments, devices or paraphernalia designed for use or marketed primarily for stimulation of human genital organs, or for sadomasochistic use or abuse.

Adult Cabaret – A nightclub, bar, restaurant, private club, bottle club, juice bar or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features:

1. persons who appear nude or in a state of nudity or semi-nude state;
2. live performances which are characterized by the exposure of “specified anatomical areas” or by specified “sexual activities”;
3. films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified “sexual activities” or “specified anatomical areas”; or
4. physical contact (whether simulated or actual) of live males or females which is characterized by salacious conduct appealing to prurient interest for the observation by patrons provided that one or more of the parties appears in a state of nudity or semi-nude state. Prurient shall have the meaning given to it by the United States Supreme Court in Brockett v. Spokane, 472 U.S. 491 (1985). “Private Club” shall mean an establishment where patrons may bring in their own bottle or other container of alcohol (including beer, wine or liquor) and purchase a mixture

for the same or use of a glass from the club or business.

- C. Adult Motel – A motel, hotel or similar commercial establishment which:
1. Offers public accommodations, for any form of consideration, which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions, which depict specified “sexual activities” or “specified anatomical areas” and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premise advertising including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or
 2. Offers a sleeping room for rent for a period of time less than ten hours; or
 3. Allows a tenant or occupant to sub-rent the sleeping room for a time period of less than ten hours.
- D. Adult Motion Picture Theater – A commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions which depict or describe specified “sexual activities” or “specified anatomical areas” and which are regularly shown for any form of consideration.
- E. Adult Theater – A theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or performances which expose “specified anatomical areas” or specified “sexual activities”.
- F. Escort Agency – A person or business association that, for any form of consideration, furnishes, or offers to furnish an escort(s), guide(s) or date(s) for another person. For purposes of this resolution “Escort” is a person who, for any form of consideration, agrees or offers to act as a companion, guide or date for another person, or agrees or offers to privately model lingerie or to privately perform a striptease for another person.
- G. Massage Parlor – Any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as a part of, or in connection with specified “sexual activities”, or where any person providing such treatment, manipulation or service related thereto, exposes his or her “specified anatomical areas”. This definition shall not include the practice of therapeutic massage by a licensed physician, surgeon, technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath, a licensed podiatrist, a licensed nurse or any other licensed health professional nor by trainers for any amateur, semi-professional or professional athlete, or athletic team, or school athletic program. “Licensed” means licensed, certified or registered to practice in the State of Ohio.
- H. Nude Model Studio – Any place where a person, who regularly appears in a state of nudity, or displays “specified anatomical areas”, is provided,

for any form of consideration, to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons.

- I. Sexual Encounter Establishment – A business or commercial establishment, that as one of its primary business purposes, offers for any form of consideration, a place where two or more persons may congregate, associate, or consort, for the purpose of specified “sexual activities”, or the exposure of “specified anatomical areas”, or activities when one or more of the persons is in a state of nudity or semi-nude. This definition shall not include any establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed in the State of Ohio, engages in medically approved and recognized sexual therapy.
- J. Sexual Paraphernalia Center – Any retail store specializing in the sale of paraphernalia, devices, or equipment distinguished or characterized by an emphasis on depicting or describing sexual conduct or used in connection with specified sexual conduct. (Revised February 12, 2001)

SHADOW PLAN

A re-division plan when a property or portion of a property could be developed at a higher density. (Revised January 7, 2008)

SHOPPING CENTER

Ten (10) or more tenant spaces with a minimum aggregate ground floor area of 30,000 sq. ft. located within a single structure or in multiple structures on one (1) lot.

SHOWROOM

A separate room in a structure for the display of three or more automobiles, trucks, boats, motorcycles and/or farm equipment, which is used

SIGN

An object, device or structure, or part thereof, situated outdoors or indoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. The term "sign" shall include the sign structure, supports, lighting system and any attachments, ornaments or other features used to attract attention.

SIGN AREA

That surface within the outer most perimeter which completely encloses the extreme points of any emblem, figure, letter, representation or writing which is affixed to or painted directly or indirectly upon a building, structure or piece of land in order to identify, announce, communicate, direct attention to, or advertise an object, product, place, activity, person, institution, organization or place of residence.

SIGN CLEARANCE

The smallest vertical distance between the grade beneath the sign and the bottom of the sign, including framework and embellishments, extending over that grade.

SIGN FACE

The surface of the sign upon, against or through which the message of the sign is exhibited. This includes any background or surrounding material, panel, trim or ornamentation, color and direct or self-illumination that differentiates the sign from the building, structure, backdrop surface or object upon or against which it is placed.

SIGN HEIGHT

The vertical distance from the uppermost point used in measuring the area of the sign to the prevailing ground elevation under the sign.

SIGN STRUCTURE

The supports, uprights, bracing or framework for signs.

SPECIFIED ANATOMICAL AREAS (Revised February 12, 2001)

Means and includes any of the following:

Less than completely and opaquely covered human genitals, pubic region, anus, or female breasts below a point immediately above the top of the areola; or

Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

STABLE, RIDING

A stable housing horses or ponies for hire.

STORAGE FACILITIES (STORE & LOCK)

A building providing numerous totally enclosed indoor storage spaces for rent or lease. Each secure area for rent or lease must have its own independent outside access.

STORY

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

STORY, HALF

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

STREET, PRIVATE

An improved street or roadway which has not been dedicated for public use, or accepted by the Township, and is not maintained by the Township. In addition, a private street must meet the minimum thickness requirements as specified in the Montgomery County Subdivision Regulations for a residential street and must have a minimum pavement width of twenty (20) feet. (Revised January 8, 2001)

STREET, PUBLIC

An improved street or roadway which has been dedicated for public use, and accepted by the Washington Township Board of Trustees, and is maintained by the Township.

ARTERIAL STREET OR ROAD - A highway primarily for through traffic, carrying heavy loads and large volumes of traffic usually on a continuous route.

COLLECTOR STREET OR ROAD - A thoroughfare, whether within a residential, industrial, commercial or other type of development, which carries traffic primarily from local streets to arterial streets, including the principal entrance and circulation routes within residential areas.

STRUCTURAL ALTERATION

Any change in the structural members of a building or structure, such as load bearing walls, columns, beams or girders.

STRUCTURE

Anything constructed, the use of which requires permanent location on the ground, or attachment to something having permanent location on the ground, including but not limited to buildings, additions to buildings, satellite dishes, accessory structures, pavement, etc. (Revised June 21, 1999)

SUBDIVISION

- A. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites or lots any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or
- B. The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the

division or allocation of land for the opening, widening or extension of any street or streets except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

SURFACE PARKING AREA

A parking area for motor vehicles where there is no gross building area located above and/or below the parking area. (Revised January 7, 2008)

SWIMMING POOL

Any body of water or receptacle for water having a depth greater than two (2) feet, used or intended to be used for swimming or bathing, and constructed, installed or maintained in or above the ground outside a building.

SECTION 19

TRASH CONTAINERS

CAN-TYPE TRASH AND REFUSE RECEPTACLES - That type of refuse container not exceeding 40 gallon capacity which can be manually lifted and dumped.

METAL DUMPSTER - That type of trash and refuse containers which exceed 40 gallon capacity, and are self-dumping by means of a specially designed front, side or rear loading vehicle.

TEMPORARY SIGN

A sign which is intended to be displayed for a limited period of time to include inflatable displays subject to the provisions outlined in Article 16, Section 7(F). Temporary signs shall not include noncommercial signs.

TRAILER

Any vehicle or structure (including automobile trailer and trailer coach) constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation, or use as a selling or advertising device or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

TRAILER, TEMPORARY

A trailer located on a lot or tract of land for a period of not more than 30 days and for which a Temporary Zoning Certificate and Temporary Occupancy Permit has been secured.

TRUCK TERMINAL

Premises which are used for loading or unloading of trucks upon which storage of cargo is incidental to the primary function of motor freight shipment or shipment point, and which is designed to accommodate the simultaneous loading or unloading of 2 or more trucks.

SECTION 20

UNLAWFUL SIGN

A sign installed without a required permit, or otherwise in violation of this Resolution.

USE

The employment or occupation of a building, structure or land for a person or organization's service, benefit or enjoyment.

PRINCIPAL USE - The main use of land or buildings as distinguished from a subordinate or accessory use.

USED CAR LOT

A permanently surfaced parking area on which are displayed operative automobiles each of which is capable of being started and driven off the lot under its own power.

UTILITY BUILDING

A detached accessory building used for the purpose of storing equipment and materials and/or housing parts of electrical, plumbing and heating systems for the main building.

SECTION 21

VARIANCE

A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship for the property owner.

VEHICLE/TRAILER SIGN

Any sign attached to, painted on or placed on a licensed or unlicensed trailer, vehicle or similar conveyance.

VEHICLE-MOUNTED SIGN

Any sign placed or maintained on a stationary automobile, truck, trailer or any other motor-driven device.

VEHICLE SIGN

Any sign exceeding four (4) square feet in area mounted, painted, placed on, attached or affixed to any: 1) automobile, 2) truck, 3) non-motorized trailer, 4) watercraft, or 5) any other form of vehicle so parked or placed so that the sign thereon is discernable from a public street or right-of-way as a means of communication and which by its location, size, and manner of display is reasonably calculated to exhibit commercial advertising.

VENDING MACHINE SIGN

Any sign fastened to or painted to a vending machine—If the vending machine is affixed to a structure, the vending machine sign will be deemed a wall-mounted sign. If the vending machine is not affixed to a structure, the vending machine sign will be deemed a freestanding ground sign.

VIDEO DISPLAY SIGN

A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

SECTION 22

WALL

A boundary enclosure or separating barrier which is usually opaque.

WALL-MOUNTED SIGN

A sign which is affixed, painted on or attached to the wall of a building or other structure (exclusive of structures for freestanding ground signs) and which extends not more than fifteen (15) inches from the face of a wall.

WAREHOUSE

Any building or structure which use is limited to the storage of equipment or material.

WETLANDS BUFFER

An area of undisturbed natural vegetation located adjacent to the perimeter of the wetlands. (Revised January 7, 2008)

WHOLESALE ESTABLISHMENT

An establishment that engages in the sale of goods, merchandise and commodities for resale by the purchaser.

WINDOW OR GLASS DOOR SIGN

Any sign which are displayed from the interior side of a window or glass door in such a manner so as to make the signs legible from the public right-of-way or from property other than the property on which the sign is located In the event that the window or glass door is constructed in such a manner so as to serve as a sign legible from the public right-of-way or from property other than the property on which the sign is located. Such window or glass door shall be considered a wall mounted sign.

SECTION 23

YARD

FRONT YARD - An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as herein specified.

REAR YARD - An open space extending the full width of the lot between a building and the rear lot line unoccupied and unobstructed from the ground upward except as herein specified.

SIDE YARD - An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as herein specified.

YARD DEPTH AND WIDTH

FRONT YARD DEPTH - The minimum horizontal distance between any front lot line and the main building or any projection thereof other than the projections of uncovered steps or uncovered porches, and in compliance with the Official Thoroughfare Plan.

REAR YARD DEPTH - The minimum horizontal distance between the rear lot line and the main building or any projection thereof other than the projections of uncovered steps or uncovered porches.

SIDE YARD WIDTH - The minimum horizontal distance between a side lot line and the main building or any projection thereof other than projections of uncovered steps or uncovered porches.

SECTION 24

ZONING CERTIFICATE

A document issued by the Zoning Inspector authorizing buildings, structures or uses consistent with the terms of this Resolution and for the purpose of carrying out and enforcing its provisions.

ZONING DISTRICT

A portion of the unincorporated areas of the Township for which certain uniform regulations governing the use, height, area and intensity of use by building and

land and open spaces about buildings are herein established.

ZONING INSPECTOR

The Zoning Inspector of Washington Township shall be the same as the Zoning Director and Zoning Administrator. The Zoning Inspector is that person designated by the Township Trustees to administer and enforce this Zoning Resolution.

ZONING MAP

The Zoning Map of Washington Township, Montgomery County, Ohio.