

## Article 15: Definitions

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**Section 1 Purpose**

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. If not defined in this Article, the definition of a word defers to the commonly accepted definition.

**Section 2 'A' Definitions**

**Accessory Telecommunications**

Telecommunications Towers between eight feet and thirty-five feet in height, including Distributed Antenna Systems (DAS) and small cells sites, communication nodes, antennas, fiber-optic cables, radio transceivers, and any additional equipment associated with transmission, which are typically used to supplement the service of larger Telecommunications Towers and reduce the need for additional larger Telecommunications Towers. (See Article 13, Section 27)

**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.

**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.

**Aggregate Site**

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

**Agriculture**

"Agriculture" includes farming; ranching; 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.

**Agriculture Structure**

A structure used solely for the purpose of agriculture.

**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.

**Antenna**

Any exterior transmitting or receiving devices mounted on a tower, pole, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals. (See Article 13, Section 27)

**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.

**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.

**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.

**Automobile or Trailer Sales Area**

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

**Automobile Service Stations**

A place where gasoline, or any other motor fuel, kerosene or lubricating oil or grease for the operation of motor vehicles are offered for sale to the public at either self or full service; may include greasing and oiling on the premises, and replacement or installation of parts and accessories of a minor nature and the performance of minor repairs and servicing such as tuning-up an automobile engine, changing tires but not including the storage of inoperable vehicles.

**Automobile Service Station, Repair Garage**

A place where gasoline, or other motor fuel, kerosene or lubricating oil or grease for the operation of motor vehicles are offered for sale to the public may include greasing and oiling on the premises and replacement or installation of parts and accessories, and the performance of 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 automobiles either by manual or assembly line techniques, utilizing employees or an occupant of the automobile or a combination of both.

**Automobile Wrecking**

The dismantling or disassembling of motor vehicles or trailers or the storage, sale or disposal of motor vehicles or trailers which are either inoperable, dismantled, partially dismantled or damaged.

**Section 3 'B' Definitions**

**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). A masonry building material. A Brick shall be a minimum depth of 3-1/4 inches and have a footer/foundation or panel construction and have a footer/foundation or panel construction.

**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.

**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.

**Building, Principal**

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

**Building, Public**

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

**Building, Temporary Construction**

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.

**Building Canopy**

A rigid, multi-sided structure covered with fabric, metal or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities.

**Building Coverage**

The horizontal area measured from the outside of the exterior walls of the ground floor of a structure.

**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.

**Building Frontage**

The maximum horizontal width of the ground floor of a building that approximately parallels and faces an adjacent public right of way of at least 50 feet in width. In the case of a building where an individual occupant would have no building frontage, the maximum horizontal width of the portion of the building where that occupant's main entrance is located shall be considered that occupant's separate and distinct building frontage. In the case where the ground floor of a building is occupied by 2 or more different tenants, the portion of the building frontage occupied by each tenant shall be considered a separate and distinct building frontage. Corner lots and through lots shall be considered to have only 1 distinct and separate building frontage for signage Purposes.

**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 wall which can be solid or perforated with decorative, architectural elements hiding or screening a view associated with a building.

**Section 4**

**'C' Definitions**

**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.

**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.

**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.

**Co-location/Shared Use**

Use of a common Telecommunications Tower or common site by more than one wireless communication license holder or by one wireless license holder for more than one type of communications technology and/or placement of a Telecommunications Tower on a structure owned or operated by a utility or other public entity. All new Telecommunications Towers shall be engineered, designed and constructed to be capable of sharing the tower with other providers, to co-locate with other existing wireless communications tower and to accommodate the future collocation of other wireless communications towers. (See Article 13, Section 27)

**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**

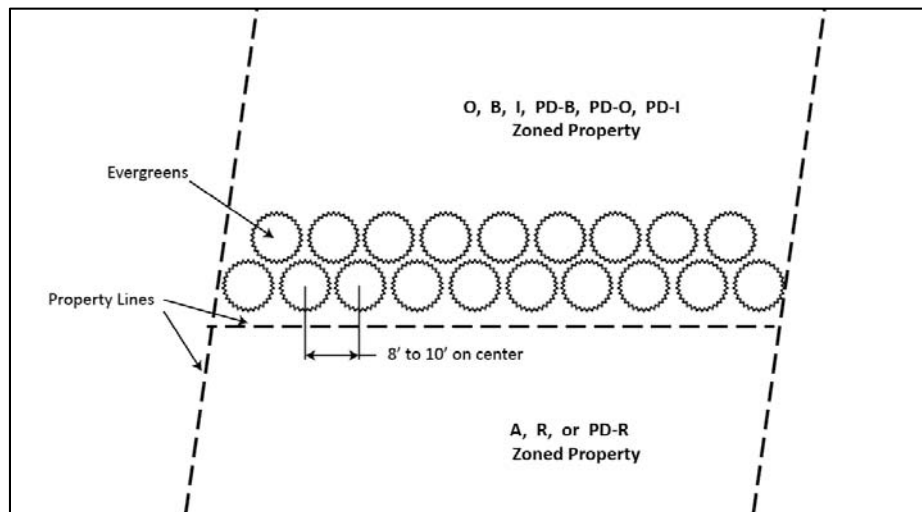
Any land area, and associated facilities, within a conservation development that is held in common ownership by the residents of the development through a Homeowners' Association, Community Association or other legal entity, or which is held by the individual members of a Condominium Association as tenants-in-common.

**Common Open Space**

A publicly or privately owned area substantially open to the sky which may be on the same lot with a building, or adjacent to a building or buildings.

**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**

That which is consistent in building design, mass and construction; well matched and possessing harmonizing qualities.

**Conditional Use**

A use permitted other than a permitted use and/or accessory use within a district, requiring a Conditional Use Certificate and approval of the Board of Zoning Appeals.

**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 within a zoning district, provided that any conditions imposed by the Board of Zoning Appeals have been fulfilled.

**Condominium**

A dwelling for which a declaration has been filed submitting the property to the condominium form of ownership pursuant to Chapter 5311 of the Ohio Revised Code and under which each owner has an individual ownership interest in a unit with the right to exclusive possession of that unit and an undivided ownership interest with the other unit owners in the common elements of the condominium property.

**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.

**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.

**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.

**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 dry cleaning, photo processing, and other similar activities.

**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.

**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.

**Section 5**

**'D' Definitions**

**Day Care Center**

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

**Density**

The number of dwelling units per gross acre constructed or allowed to be constructed.

**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.

**Distributed Antenna Systems (DAS)**

Network of spatially separated antennas connected to a transport medium that provides wireless service within a geographic area or structure. (See Article 13, Section 27)

**Dog Kennel**

A building which may include outdoor pens or runs for dogs, which houses or is used for a fee for the boarding of four (4) or more dogs aged four (4) months or older, or an establishment for the breeding of dogs.

**Drive-through Canopy**

A freestanding roof structure over drive-through facilities.

**Driveway**

Pavement, be it asphaltic, portland cement binder, or other similar impervious material, which connects a public or private street with one structure or multiple structures.

**Dwelling**

Any building or portion thereof occupied or intended to be occupied exclusively for residential purposes, but not including a tent, recreational vehicle or other temporary or transient building.

**Dwelling, Multiple-Family**

A building designed for or occupied exclusively by two, three or four or more families.

**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.

**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.

**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.

**Dwelling, Single-Family, Detached**



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

**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.

**Section 6 'E' Definitions**

**Earth Tone**

Any of the neutral colors found in nature, such as cream, beige, light yellow, hunter green, brown, clay, taupe, slate blue.

**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.

**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.

**Easement**

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

**Eating Establishment, Carry Out/Take-Out**

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

**Eating Place**

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 with Live Entertainment**

An establishment having the attributes of an Eating Place, 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.

**Equipment Building**

Any structure used to contain ancillary equipment for a Telecommunications Tower which includes cabinets, shelters, a build out of an existing structure, pedestals, and other similar structures. (See Article 13, Section 27)

**Section 7 'F' Definitions**

**Family**

One or two persons or parents, with their direct lineal descendants and adopted children together with not more than two persons not so related, or a group of not more than four (4) persons who need not be related, living together as a single housekeeping unit in a dwelling unit.

**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.

**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.

**Floodplain**

Any land susceptible to being inundated by water from any source.

**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.

**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.

**Section 8 'G' Definitions**

**Garage**

**Private Garage**

An accessory building or portion of a main building designed or used solely for the storage of motor-driven vehicles or recreational vehicles owned or used by the occupants of the buildings to which it is accessory.

**Public Garage**

A space or structure or series of structures for the temporary storage or parking of motor vehicles, not primarily of commercial vehicles and not for the dead storage of motor vehicles, having no public shop or service in connection therewith.

**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.

**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.

**Green Space**

Area of land which is used exclusively for grass, trees, landscaping and other non-noxious living ground cover.

**Golf Course, Public**

A golf course, operated for profit, of nine or more regulation holes and its customary buildings and structures, which is open to the general public.

**Golf Course, Private**

A, non-commercial golf course of nine or more regulation holes and its customary buildings and structures, which is not open to the general public.

**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.

**Guyed Tower**

A Telecommunications Tower that is supported in whole or in part by guy wires and ground anchors or other means of support besides the tower structure itself. (See Article 13, Section 27)

**Section 9**

**'H' Definitions**

**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**

Public Health- Dayton and Montgomery County.

**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.

**Home Occupation**

Any occupation conducted in its entirety within a dwelling unit which shall be clearly incidental and subordinate to use for residential purpose.

**Hospital, Animal**

Any building 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 (4) patients allowing for overnight or continuous care, diagnosis and treatment of ailments.

**Hotel/Motel**

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.

**Extended Stay Hotel/Motel**

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.

**Section 10**

**'I' Definitions**

**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.

**Internet Sweepstakes Café**

Any premises upon which there are situated two (2) or more Sweepstakes Terminal Devices that are available for the use or entertainment within such premises, whether or not such premises has any other business purpose.

**Section 11 'J' Definitions**

**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.

**Section 12 'K' Definitions**

**Kennel, Animal Shelter**

See definition for **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.

**Section 13 'L' Definitions**

**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.

**Land Use Buffer/Mounding**

Land area used to separate or visibly shield and/or screen one use from another.

**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.

**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.

**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 14 'M' Definitions**

**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.

**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.

**Marijuana Business**

Any business, laboratory or other enterprise that cultivates, processes, distributes or sells marijuana or any derivative of marijuana.

**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.

**Monopole Tower**

A structure composed of a single spire anchored to a foundation used to support telecommunications equipment. (See Article 13, Section 27)

**Section 15 'N' Definitions**

**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.

**Neighborhood Business**

A business which is primarily supported by the residents and businesses within the neighborhood in which the business is located.

**Neighborhood Park**

See definition for **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 regulations of the district in which it is located.

**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 16 'O' Definitions**

**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**

A parcel of land or an area of water or combination of both land and water, 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 outside of 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.

**Section 17**

**'P' Definitions**

**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.

**Pedestrian Facilities**

Elements of a development for the intended use and enjoyment of pedestrians including amenities such as walkways, benches and other outdoor seating, bus waiting areas, sidewalk displays, trash containers, fountains, statues, paths and plazas.

**Perennial Stream**

A natural waterway that contains water throughout the year except in severe drought.

**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**

Quantitative tests given to a prospective use of the land to determine whether the use is in harmony with the purpose of the zone which may include definite measurements for: noise,



smoke, odor, dust and dirt, noxious gases, glare and heat, fire hazards, industrial wastes, transportation and traffic, aesthetics and psychological effects.

**Personal Services**

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

**Premises**

A lot and all of the use(s) conducted thereon.

**Prize**

Any gift, award, gratuity, good, service, credit, reward, or any other thing of value, which may be transferred to a person, whether possession of the prize is actually transferred, or placed on account or other record as evidence of the intent to transfer the prize.

**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.”

**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.

**Section 18 ‘R’ Definitions**

**Recreational Equipment and Vehicles**

Recreational equipment and vehicles are defined as, and shall include the following, in addition to other equipment and/or vehicle which meets the same general standard as outlined:

**Fifth Wheel Trailers**

A vehicle that is of such a size and weight as to be movable without a special highway permit, that has a gross trailer area of four hundred square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.

**Folding Tent Trailer**

Any vehicle intended to be used, when stationary, as a temporary shelter with living and sleeping facilities.

**Motorized Home (Motor Home)**

A self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food and for sleeping.

**Park Trailer**

A vehicle that is commonly known as a park model recreational vehicle, meets the American National Standard Institute standard A119.5 (1988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred square feet or less when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities for the operation of installed features and appliance.

**Pick-Up Camper (Truck Camper)**

A nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle, it does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.

**Watercraft**

Any of the following when used or capable of being used for transportation in the water:

1. A vehicle or vessel operated by machinery either permanently or temporarily affixed;
2. A sailboat other than a sailboard;
3. An inflatable, manually propelled boat that is required by Federal law to have a hull identification number meeting the requirements of the United States Coast Guard;
4. A canoe or rowboat.

**Recreational Facilities**

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

**Recreational Vehicle**

See **Recreational Equipment and Vehicles**

**Regional**

The geographic areas beyond the community.

**Regional Business**

A business which relies more on regional patronage rather than the community for their success.

**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.

**Restricted Open Space**

A parcel or area within a conservation development that is restricted from further development according to the provisions in the planned development approval that is of sufficient size and shape to meet the minimum zoning requirements.

**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.

**Section 19**

**'S' Definitions**

**Sawmill, Temporary**

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

**School – Public or Private Academy**

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 Wall**

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 and is not associated with a building.

**Semitrailer**

A trailer without a front axle where a large proportion of its weight is supported by a road tractor, by a detachable front axle assembly known as a dolly, or by the tail of another trailer. A semi-trailer is normally equipped with land gear (legs which can be lowered) to support it when it is occupied.

**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.

**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.

**Sexually Oriented Business**

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.

**C. 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.

**D. 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.

**E. 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.

**F. 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”.

**G. 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.

**H. 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.

**I. 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.

**J. 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.

**K. 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.

**Shadow Plan**

A re-division plan when a property or portion of a property could be developed at a higher density.

**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.

**Sign**

Any visual communication device utilizing a letter, a word, a number, a symbol, a picture, an object, color, illumination, or motion, the function of such device being to convey visual information to or attract the visual attention of a person within a public right-of-way or not on the premises on which the visual communication device is located. The term "sign" shall specifically include the following:

- A. Any localized background which is a part of or is placed in conjunction with a sign for the purpose of improving the visibility of the sign;
- B. Any material whose major function is providing structural support for a sign; and,
- C. Any artificial illumination device whose major function is to provide illumination of the visual information conveyed by a sign.

The following are types of signs:

- A. Free Standing Sign - A sign not attached to a building;
- B. Projecting Sign - A sign supported by a building wall or column and extending a distance exceeding 12 inches from the wall; and
- C. Wall Mounted Sign - A sign which is located on, affixed to, attached to, painted on, or formed by the surface of the wall of a building.
- D. Vehicle Mounted Sign – (See **Sign, Vehicle Mounted**)

**Sign Area**

The total area in square feet of all the visible information-conveying surface area(s) of a sign including all localized background(s), but excluding all material(s) not conveying visual information and whose major function is providing structural support for the sign. An irregular shaped sign surface area shall be measured by calculating the surface area of a simple plane or solid geometric shape which approximates the size and shape of the sign surface area. The area of individual elements of a sign placed against a non-localized background (such as letters placed against a wall or window) shall be measured by calculating the area of the smallest single rectangle which would completely enclose all elements of the sign.

**Sign, Banner**

A non-rigid cloth or canvas graphic.

**Sign, Canopy**

- A. Any sign placed on or supported entirely by a rigid or non-rigid shelter or other structure projecting out from any exterior wall or portion of a building or other structure; or
- B. Any sign attached to or suspended under any rigid or non-rigid portion or support by 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.

**Sign, Changeable Copy**

A sign or portion of a sign where the message is able to be changed by electrical, mechanical, magnetism, or any other means.

**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, Directional**

A non-commercial informational sign, that has a purpose secondary to the use of the premises on which the sign is to be located, such as "no parking", "entrance", "exit", "tow away zone", and other directional signs indicating points of entry or exit, handicap parking spaces and similar information and directives.

**Sign, Electronic Message Center**

A sign or a portion of a sign that utilizes light emitting technologies including, but not limited to, television screens, plasma screens, digital screens, holographic displays, and LED (light emitting diode) technology on any portion of a sign face to display a message except as prohibited in the Prohibited Signs and Characteristics, Article 16, Section 3, of this resolution.

**Sign Face**

The largest portion, in square feet, of a sign's area that is visible; measured at the location where the largest amount of the sign's area can be viewed by the eye at one point in time.

**Sign Height**

The vertical distance from the uppermost point of sign structure to the average finished ground elevation under the sign.

**Sign, Illuminated**

A sign that is lighted by an artificial light source.

**Sign, Non-Conforming**

A sign existing and lawful at the time of the enactment of this Resolution or any amendment thereto, which does not conform to the regulations of the district in which it is located.

**Sign, Permanent**

A sign permitted by this resolution to be located on a premises for an unlimited period of time.

**Sign, Roof**

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.

**Sign Structure**

The supports, foundation, uprights, bracing or framework for a sign.

**Sign, Temporary**

A sign which is constructed of paper, cardboard, plastic, wood, or has a wire frame and is not affixed permanently to the ground or structure.

**Sign, Unlawful**

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

**Sign, Vehicle Mounted**

A sign attached to or placed on a vehicle, including any automobile, truck, boat, camper, and trailer which is parked on or otherwise utilizing public property or on private property in a manner which conveys visible information or attracts the visual attention of a person in a public right-of-way for the purpose of providing advertisement for products or services or directing people to a business or activity.

Vehicle Mounted Signs shall not include signs on the following:

- A. Any vehicle displaying an advertisement or business notice of its owner, so long as the advertising devices are attached to and within the normal unaltered lines of the vehicle and the vehicle is engaged in the usual business or regular work of the owner, and not merely, mainly, or primarily used to display advertising;
- B. Forms of public transportation;
- C. Taxicabs.

**Small Wind Energy System**

A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics and which is used to reduce on-site consumption of utility power at an aggregate capacity of less than five megawatts.

**Specified Anatomical Areas**

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 building housing horses, ponies, or other similar animals for hire.

**Stealth Design (Telecommunications Tower)**

Camouflaging methods applied to Telecommunications Towers, antenna and other facilities, which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such

methods include, but are not limited to, architecturally screened roof-mounted antenna, building mounted antenna designed to match the existing structure and facilities to resemble clock towers, bell steeples, trees, shrubs, flag poles and light poles. (See Article 13, Section 27)

**Storage Facilities (Store and Lock)**

A building providing numerous totally enclosed indoor storage spaces for rent or lease with each secure area being rented or leased, having 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.

**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 zoning district which carries traffic primarily from local streets to arterial streets, including the principal entrance and circulation routes within residential districts.

**Structural Alteration**

Any change in the structural members of a 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.

**Subdivision**

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  
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.

**Sweepstakes**

Any game, contest, advertising scheme or plan, or other promotion, but does not include bingo, whether or not consideration is required for a person to enter to win or become eligible to receive any prize, the determination of which is based upon chance.

**Sweepstakes Terminal Device**

A mechanical, video, digital, or electronic machine or device, that is owned, leased, or otherwise possessed by any person conducting a sweepstakes, or by that person's partners, affiliates, subsidiaries, or contractors, that is intended to be used by a sweepstakes participant, and that is capable of displaying information on a screen or other mechanism. A device is a sweepstakes terminal device whether or not any of the following apply:

- A. The device is server based;
- B. The device uses a simulated game terminal as a representation of the prizes associated with the results of the sweepstakes entries;
- C. The device utilizes software such that the simulated game influences or determines the winning of or value of the prize;
- D. The device selects prizes from a predetermined finite pool of entries;
- E. The device utilizes a mechanism that reveals the content of a predetermined sweepstakes entry;
- F. The device predetermines the prize results and stores those results for delivery at the time the sweepstakes entry results are revealed;
- G. The device utilizes software to create a game result;
- H. The device requires deposit of any money, coin, or token, or the use of any credit card, debit card, prepaid card, or any other method of payment to activate the electronic machine or device;
- I. The device requires direct payment into the device, or remote activation of the device;
- J. The device requires purchase of a related product which has legitimate value;
- K. The device reveals the prize incrementally, even though the device does not influence the awarding of prize or the value of any prize awarded;
- L. The device determines and associates the prize with an entry or entries at the time the sweepstakes is entered;
- M. The device is a slot machine or other form of electrical, mechanical, or computer game;
- N. The device does not include any machines designated for use by the State Lottery Commission.

**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 and constructed, installed or maintained in or above the ground outside a building.

**Section 20 'T' Definitions**

**Telecommunications**

The technology which enables information to be exchanged through the transmission of voice, video, or data signals by means of electrical or electromagnetic systems. (See Article 13, Section 27)

**Telecommunications Tower**

Any free-standing structure or any structure to be attached to a building or other structure in the unincorporated area of Washington Township, Montgomery County, Ohio, that is proposed to be owned or principally used by a public utility engaged in the provisions of telecommunications services and proposed to have radio frequency transmission or reception equipment attached to it. (See Article 13, Section 27)

**Trailer**

Any vehicle or structure 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, Utility**

A platform or container standing on wheels, towed or hauled by another vehicle and used for transporting materials, goods or objects.

**Trash Containers**

**Can-Type Trash and Refuse Receptacles**

That type of trash and 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.

**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 21 'U' Definitions**

**Use**

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

**Use, Principal**

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

**Section 22 'V' Definitions**

**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**

Everything on wheels or runners, including motorized bicycles, but does not mean electric personal assistive mobility devices, vehicles that are operated exclusively on rails or tracks or from overhead trolley wires, and vehicles that belong to any police department, fire department, or that are used by such a department in the discharge of its functions.

**Section 23 'W' Definitions**

**Wall**

A boundary enclosure or separating barrier which is usually opaque.

**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.

**Wholesale Establishment**

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

**Section 24 'Y' Definitions**

**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 for Montgomery County, Ohio.

**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 25 'Z' Definitions**

**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 location, height, bulk, number of stories, and size of buildings and other structures, percentages of lot area that may be occupied, set back building lines, sizes of yards, courts and other open spaces, the density of population, the uses of buildings and structures and the use of land for trade, industry, residence, recreation or other purposes have been established.

**Zoning Inspector**

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.

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