

ARTICLE 2 DEFINITIONS

2.01 PURPOSE

The purpose of this Article is to define words, terms and phrases used in this Resolution.

2.02 MEANING AND INTERPRETATION

Words used in the present tense shall include the future, the singular number shall include the plural and the plural the singular; the word “shall” is mandatory and the word “may” is permissive.

2.03 DEFINITIONS

ACCESSORY BUILDING OR USE: A subordinate building or use customarily incidental to and located upon the same lot occupied by the main building and use. Garages are not accessory buildings. See also Article 6, Section 6.01 P. See Building, Accessory and Use.

ACRES, GROSS: All the land included by the legal description of the property.

ACRES, NET: All the land included by the legal description of the property after excluding land designated as open space, rights-of-way for public streets, or unobstructed access easements for private streets.

ACTIVE RECREATIONAL OPEN SPACE: All land designated and set aside as active recreational open space in the calculations for a particular development or subdivision where such open space is required or provided. Active recreational uses include but are not limited to tennis courts, swimming pools, pavilions, ball fields, community/recreational buildings and parking lots associated with such uses.

ACTIVE RECREATION, PRIVATE: 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 private active recreation facilities include golf courses, tennis courts, swimming pools, softball, baseball, and soccer fields. For the purpose of these regulations, private active recreation facilities do not include paths for bike riding, hiking, and walking and picnic areas.

ADULT ARCADE: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where

the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

ADULT BOOKSTORE, ADULT NOVELTY STORE, ADULT VIDEO STORE: A commercial establishment that, for any form of consideration, has as a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its interior business or advertising to, or maintains a substantial section of its sales or display space for the sale or rental of any of the items listed below. An establishment may have other principal business purposes that do not involve the offering for sale, rental or viewing of materials exhibiting or describing specified sexual activities or specified anatomical areas and still be categorized as an adult bookstore, adult novelty store, or adult video store. The existence of other principal business purposes does not exempt an establishment from being categorized as an adult bookstore, adult novelty store, or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, such materials that exhibit or describe specified sexual activities or specified anatomical areas.

- (i) Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, DVDs, compact disks, electronic media, slides or other visual representations, that are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.
- (ii) Instruments, devices, or paraphernalia that are designed for use or marketed primarily for simulation of human genital organs or for sadomasochistic use or abuse of self or others.

ADULT CABARET: A nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment whether or not alcoholic beverages are served, that regularly features any of the following:

- (i) Persons who appear in a state of nudity or semi nudity.
- (ii) Live performances that are characterized by the exposure of specified anatomical areas or specified sexual activities.
- (iii) Films, motion pictures, video cassettes, DVDs, electronic media, slides or other photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT: The sale, rental or exhibition, for any form of consideration, of books, films, video cassettes, DVDs, electronic media, magazines,

periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified anatomical areas or specified sexual activity.

ADULT ENTERTAINMENT ESTABLISHMENT: An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theatre, adult theater, nude or semi-nude model studio, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to section 4731.15 of the Revised Code, is not an “adult entertainment establishment.”

ADULT MOTION PICTURE THEATER: A commercial establishment where films, motion pictures, video cassettes, DVDs, electronic media, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.

ADULT THEATER: A theater, concert hall, auditorium, or similar commercial establishment that, for any form of consideration, regularly features persons who appear in a state of nudity or semi nudity or live performance that are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities.

AGRICULTURE: The use of land for 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.

AIR-CONDITIONING: A business which sells and/or repairs equipment for filtering air while keeping temperature and humidity at desired levels.

ALLEY: A thoroughfare which affords only a secondary means of vehicular or pedestrian access to a lot or abutting property.

ARCADE, ADULT: See Adult Entertainment Establishment.

ARTERIAL STREET: See Street, Arterial.

ASSOCIATION: A legal entity operating under recorded land agreements or contracts through which each home owner or unit owner in a 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 restricted open space and other common areas and providing services needed for the development. An association can take the form of a homeowners' association, community association, condominium association or other similar entity.

AUTOMOTIVE REPAIR: An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers and similar large mechanical equipment, including paint, body, and fender repairs, and major engine and engine part overhaul, which is conducted within a completely enclosed building.

AWNING: A roof-like cover designed and intended for protection from the weather or as a decorative embellishment that extends from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

BACKHAUL PROVIDER: The entity that will provide for the transmission of network data over an alternative wireless route when the normal route is unavailable or overtaxed.

BAKERY: A place of business where bread, pastries, and other similar items are prepared and/or sold.

BANK: A place of business for receiving, keeping, lending, and issuing money and making easier the exchange of funds by checks, notes, etc., and includes savings institutions and credit unions.

BAR: See Bar, Cafe, Cocktail Lounge, Grille, Nightclub, Restaurant, or Tavern.

BAR, CAFE, COCKTAIL LOUNGE, GRILLE, NIGHTCLUB, RESTAURANT, or TAVERN: An establishment licensed by the State of Ohio to sell alcoholic beverages to the public for consumption on the premises and where sandwiches, snacks and entertainment may or may not be available.

BASEMENTS: A story having more than one-half (1/2) of its height below average grade. A basement shall not be counted as a story for the purpose of height regulations. See also Article 6, Section 6.01 N.

BED & BREAKFAST: An existing owner-occupied building that contains no more than four guest rooms where short term lodging, with or without meals, is provided for compensation.

BILLBOARD: Any sign that advertises a product or service not offered on the same lot on which the sign is displayed, or which directs attention to an activity not conducted on the same lot where the sign is displayed. See also SIGN, OUDOOR ADVERTISING.

BOARD: The Board of Zoning Appeals as created by these regulations.

BOARDING or LODGING HOUSE: A building (or part thereof), other than a motel, hotel, or restaurant, where meals and/or lodging are provided for compensation, for not more than three (3) persons unrelated by blood, marriage, or adoption, where no cooking or dining facilities are provided in individual rooms.

BODY SHOP: A place of business which specializes in collision repair service, painting, and steam cleaning of vehicles.

BOOKSTORE, ADULT: See Adult Entertainment Establishment.

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.

BUILDING: Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, or chattels.

BUILDING, ACCESSORY, OR USE: See Accessory Building or Use.

BUILDING ENVELOPE: The area within which a dwelling unit is to be placed in compliance with the building setback and spacing requirements established by the township zoning regulations. In a Conservation Development, a building envelope may or may not be located within a subplot and may or may not have frontage on a public street.

BUILDING FRONTAGE: The length of the building wall that faces a public street or private street or common drive that contains a public entrance shall be considered the building frontage. See also FRONTAGE, BUILDING.

BUILDING HEIGHT: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the main height level between eaves and ridge for gable, hip or gambrel roofs. See also Article 6, Section 6.01 B.

BUILDING LINES: The line defining the minimum front, side and rear yard requirements outside of which no structure above grade level may be located.

BUILDING, MINIMUM SETBACK LINE: A line parallel to the street right-of-way line and at a distance there from equivalent to the required depth of the front yard, and extending across the full width of the lot. Where the right-of-way line is not established, the right-of-way shall be assumed to be sixty (60) feet.

BUILDING PRINCIPAL: The building on a lot used to accommodate the primary use to which the premise is devoted. See also Article 6, Section 6.01 I.

BUILDING TEMPORARY: A structure for use incidental to construction work. See also Article 6, Section 6.01 P.

BUSINESS, SEXUALLY ORIENTED: See Sexually Oriented Business.

CABARET, ADULT: See Adult Cabaret.

CABINET MAKING: See Carpentry.

CAFÉ: See Bar, Cafe, Cocktail Lounge, Grille, Nightclub, Restaurant, or Tavern.

CARPENTRY: A place of business which specializes in making or repairing wooden objects or structures.

CEMETERY: A place set apart for burial or interment.

CENTRALIZED SEWER SYSTEM: A system where individual lots are connected to a common sewerage system whether publicly or privately owned and operated.

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

CHURCH: A structure used for the teaching and/or following of a specific faith and/or personal set of beliefs and/or practices. A place for the exercise of religion.

CLINIC: A place used for the care, diagnosis, and treatment of sick or injured persons or animals. Such a place may include overnight care facilities.

CLUB: A place where a group of people, associated for a common purpose, meet regularly.

CLUB, PRIVATE: See Club.

CO-LOCATION: Use of a Wireless Telecommunication Facility by more than one wireless telecommunication provider.

COCKTAIL LOUNGE: See Bar, Cafe, Cocktail Lounge, Grille, Nightclub, Restaurant, or Tavern serving Alcoholic Beverages.

COLLECTOR STREET: See Street, Collector.

COMMON AREA: Any land area, and associated facilities, within a 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 DRIVE: A private way which provides vehicular access to at least two but not more than five dwelling units. In a Conservation Development, a Common Drive is not permitted to serve property outside the Conservation Development and may be constructed with narrower pavement widths than required by the County Subdivision Regulations for public streets provided they are approved by the Zoning Commission, Township Fire Chief, and the County. The location of all Common Drives shall be shown on the plan approved by the Zoning Commission.

**Illustration of Common Drive
(Lots 5-9 and Lots 10-14)**



COMMISSION: The Township Zoning Commission.

COMPOSTING: The biological decomposition of organic materials which are limited to yard waste (leaves, grass, wood chips and a soil mix) and food wastes, such as egg shells, coffee grounds and filters, and vegetable trimmings, or other kinds of waste deemed acceptable for composting by the Summit Soil and Water Conservation District.

COMPREHENSIVE DEVELOPMENT PLAN (CDP): A document for a defined district containing boundaries of the district, thoroughfare plan for the proposed collector streets and abutting highways, allocation of residential and/or non-residential uses, and identification of all easements and right-of-ways necessary to the extension of public and private utilities.

COMPREHENSIVE LAND USE PLAN: The proposed or projected utilization of land resulting from planning and zoning studies, as officially adopted by the Trustees.

CONDITIONAL USE: A use not allowed as a matter of right requiring approval of the Board of Zoning Appeals.

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 setbacks, 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 O.R.C. §§ 5301.67 through 5301.70.

CORNER, LOT: A lot abutting upon two (2) intersecting streets. See also Article 6, Section 6.01 C.

COURT: An open unoccupied and unobstructed space other than a yard on the same lot with a building or group of buildings.

CUL-DE-SAC STREET: See Street, Cul-de-sac.

CULTURAL FACILITY: An establishment that offers the opportunity to experience the ideas, customs, art, and skills of a particular culture.

DAYCARE CENTER: A place, which is not the permanent residence of the licensee or administrator, in which care for persons unable to care for themselves is provided, has daytime hours, and is licensed by the State of Ohio, such as Child Day Care Facility or Elder Day Care Facility.

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

DEVELOPMENT PLAN: A proposal including drawing(s) and map(s), prepared in accordance with these regulations, illustrating the proposed design, layout and other features for the development and including all elements required in any portion of this Resolution.

DISCARDED AUTOMOBILES AND HEAVY MACHINERY: Any unregistered and inoperable or discarded automobile or other discarded or abandoned heavy machinery including, but not limited to: tractors, back-hoes, bulldozers, pumps, free-standing drills and other similar motorized equipment whether or not self-propelled. See also Article 6, Section 6.01 W.

DISPLAY OR SHOW ROOM: A place of business where merchandise is stored or distributed from another location. This facility offers the consumer the opportunity to view

and purchase an item. Such a facility may be located in conjunction with a retail business which sells the product on the premises.

“DISTINGUISHED OR CHARACTERIZED BY THEIR EMPHASIS UPON”: The dominant or principal character and theme of the object described by this phrase. For instance, when the phrase refers to films “that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas,” the films so described are those whose dominant or principal character and theme are the exhibition or description of specified sexual activities or specified anatomical areas.

DISTRICT: A section or sections of the unincorporated territory of Copley Township for which the regulations governing the use of structures and premises or the height and area of structures are uniform.

DRIVE-UP WINDOW FACILITIES: A portion of a structure from which business is transacted with customers located in a motor vehicle during such business transactions.

DRY CLEANING: A place of business which specializes in the cleaning of clothing or fabrics with chemical solvents having little or no water.

DWELLING: Any building, or portion thereof, which is designed or used primarily for residence purposes, including one-family, two-family and multi-family but not including hotels, motels, boarding houses, lodging houses, and tourist dwellings. An attached garage for purposes of determining the front, side and rear yards, shall be considered a part of the dwelling. See also Article 6, Section 6.01 M.

DWELLING, MULTI-FAMILY: A dwelling designed for or occupied by three (3) or more families living independently of each other.

DWELLING, 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.

DWELLING, SINGLE-FAMILY ATTACHED: Dwelling units that are structurally attached to one another, side by side, and erected as a single 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, TWO-FAMILY: A dwelling designed for or occupied exclusively by two (2) families living independently of each other.

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

EDUCATIONAL FACILITY: See School.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance by public utilities or municipal departments or commissions, which have the power of eminent domain, of underground or overhead gas, electrical steam or water transmission or distribution systems, collection, communications (excluding wireless), supply or disposal systems, including poles, wire, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in condition therewith, but not including structures reasonably necessary for the furnishing or adequate service by such public utilities or municipal department or commissions or for the public health or safety or general welfare. See also Article 6, Section 6.01 G.

ESTABLISHMENT: A place of business including the possessions and employees.

EXPRESSWAY: A divided highway with limited access to abutting properties and intersecting highways. They provide a high-speed option for passenger vehicles and trucks traveling long distances. Also referred to as Interstates or Freeways.

FACILITY: A business structure created to offer a particular function.

FAMILY: One or more persons occupying a dwelling unit and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, lodging house, hotel, tourist dwelling, sorority, or fraternity, provided that no family shall contain over five (5) persons not related by blood, marriage or adoption.

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

FENCE: A barrier constructed so as to contain or enclose an area as either a protective measure or screening device. See also Article 6, Section 6.01 BB.

FIREARM RANGES, INCLUDING PISTOL, RIFLE, SKEET: A facility for the discharge of firearms.

FLOODPLAIN: Any land susceptible to being inundated by water from any source. The base flood is the flood that has a one percent or greater chance of being equaled or exceeded in any given year.

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.

FLOOR AREA - GROSS SQUARE FEET (GSF): The area of the building contained within the exterior walls of the structure.

FLOOR AREA - MINIMUM LIVING: The living floor area consists of areas such as living room, bedrooms, bathroom, dining room, rooms for cooking, den library, and family rooms, but shall not include areas such as porches, breezeways, basements, terraces and garages.

FLOOR AREA - NET SQUARE FEET (NSF): The gross building floor area less the area of such accessory spaces the use of which does not increase the number of persons occupying or using a building, including but not necessarily limited to: hallways, exit ways, elevators and elevator lobbies, mechanical equipment rooms and shafts, building equipment rooms and service closets, kitchens and food preparation areas, public toilets and other similar areas.

FRATERNITY OR SORORITY: A local or national organization of college or university students organized for the purpose of sharing social, cultural, scholarly or religious interests, where involvement requires regular meetings and formal written membership requirements.

FREE STANDING ANTENNAE: A metallic apparatus for sending or receiving electromagnetic waves independent of physical structures.

FRONTAGE: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of a street.

FRONTAGE, BUILDING: See also BUILDING FRONTAGE.

FUEL, FOOD AND GOODS DISTRIBUTION STATION: See Wholesale Establishment.

FUEL STATION (as an accessory use): A facility offering only retail sale of gasoline that is located on the same lot as a large-scale retail establishment so that access to and egress from the fuel station facility shall be permitted only by means of main drives and aisles constructed for the large-scale retail establishment.

GARAGE, BODY SHOP: See Body Shop.

GARAGE, PRIVATE: A structure or a portion of the main structure, enclosed on all sides and design or used for the shelter or storage of passenger vehicles and located on the same lot as the dwelling which it serves. A garage on a residentially-zoned lot may not be a primary structure. See also Article 6, Section 6.01Y.

GARAGE PUBLIC: A structure, or a portion of a structure, in which more than four (4) motor vehicles are, or are intended to be housed under arrangements made with patrons for renting or leasing such space and accommodation; and in which no repair work is carried on.

GARAGE, REPAIR SHOP: See Automotive Repair.

GARAGE AND AUTOMOTIVE REPAIR: See Automotive Repair.

GARDEN AND LANDSCAPE SUPPLY SALES: A place of business which sells the consumer materials, supplies, tools, and/or non-motorized equipment used for gardening. Seed, plants, and bulbs, which are sold, are not produced on the premises. See also Article 7.10 S.

GAS: All natural gas and all other fluid hydrocarbons not defined as oil, including condensate.

GASOLINE STATION, FULL SERVICE: Structures and premises where gasoline, oil, lubricants, batteries, tire and motor vehicle accessories may be supplied and dispensed at retail, and where minor vehicle servicing and minor repairs and maintenance are provided. The permissible services at a gasoline service station do not include major mechanical and body work, automobile painting, straightening of body parts, painting, welding, storage of automobiles not in operational condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in such stations. A full service gasoline station may also offer for sale items typically found in a convenience market or supermarket and the sale of dispensed hot and cold beverages, pastries, prepackaged foods and hot dogs or sausages. A full service gasoline service station is not an automotive repair or body shop.

GASOLINE STATION, MULTI-USE: A facility where gasoline and minor automotive products are sold directly to the public in combination with either or both: (1) the retailing

of items typically found in a convenience market or supermarket and the sale of dispensed hot and cold beverages, pastries, prepackaged foods and hot dogs or sausages; (2) a restaurant offering for sale food items that are prepared or individually proportioned on the premises.

GOLF COURSE: A place of business where the game of golf is played.

GOLF COURSE - MINIATURE: A place of business where golf is played on a smaller scale.

GOLF DRIVING RANGE: A place of business where people may practice hitting golf balls.

GOVERNMENT OWNED OR OPERATED BUILDINGS: Any federal, state, county, or township owned and operated building.

GRADE LEVEL: For structures having walls facing one (1) street only, the elevation of the sidewalk at the center of the wall facing the street. Where no sidewalk exists, the elevation of the center line of the street shall be used in lieu thereof. For structures having walls facing more than one (1) street, the average elevation of the sidewalk at the centers of all walls facing the streets. For the structures having no walls facing the street, the average level of the finished surface of the ground adjacent to the exterior walls of the structure. Any wall approximately parallel to a street line is to be considered as facing the street.

GRILLE: See Bar, Cafe, Cocktail Lounge, Grill, Restaurant, Nightclub,,or Tavern.

GROSS OPEN SPACE: All land designated and set aside as open space in the calculations for a development or subdivision.

GROUP HOME: A single-family residence that meets the definition of “adult care facility” set forth in O.R.C. § 5119.70(A)(9).

HEATING: A place of business which specializes in the repair, service, and retail sales of furnaces.

HIGHER EDUCATION FIELD RESEARCH FACILITY: A site of fifty (50) acres or more, which is almost entirely in its natural and undeveloped condition, operated by an institution of higher education for the purpose of conducting, and training students in the conduct of, scientific field research, including but not limited to biological and botanical field research. A Higher Education Field Research Facility may be improved with a structure that has a building footprint of no more than twenty thousand square feet (20,000 sf) used solely for purposes that directly support conducting, and training students in the conduct of scientific field research.

HOME OCCUPATION: Any accessory use which is an activity, profession, occupation, service, craft or revenue enhancing hobby, but excluding compensated auto repair and daycare facilities, which is clearly incidental and subordinate to the use of the premises for dwelling purposes, and which is conducted entirely within conforming non-agricultural structures located upon the premises without any significant adverse effect on the surrounding neighborhood. See also Article 6, Section 6.01 AA.

HOSPICE: A homelike facility operated by a person or public agency which provides physical, psychological, social, and spiritual and other special needs to terminally ill patients and their families.

HOTEL: A commercially run establishment providing lodging. See also **MOTEL**

ILLUMINATION: The use of an artificial source of light to make a sign's message visible and/or readable, including internally and externally illuminated signs.

ILLUMINATION, EXTERNAL: The use of an attached or independently mounted light source designed to direct illumination over the face of a sign or structure.

ILLUMINATION, INTERNAL: The use of a light source behind the face of a sign illuminating the message or symbol, or background of the sign, or both, through a translucent material.

INTERIOR, LOT: A lot other than a corner lot.

INVASIVE SPECIES: Organisms that harm, or have the potential to harm, the environment, economy, or human health; species so listed shall be as defined by the Ohio Department of Natural Resources.

ISOLATED LAND: Any portion of the subdivision parcel that is separated from the remainder of the parcel by an excessively steep slope, water body, or other feature that would not support a road under normal building standards, rendering the portion unbuildable.

KIOSK: A free-standing structure located within a pedestrian circulation area and used for the posting of signs or notices or the sale of food, flowers, newspapers, magazines or other goods.

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 O.R.C. § 5301.68.

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

LAND USE PLAN: See Comprehensive Land Use Plan.

LANDSCAPE BUSINESS: A business engaged in the decorative improvement of land in any manner including but not limited to contouring, and the planting of flowers, shrubs or trees. Also includes lawn care and grounds maintenance. This use does not include retail sales on the premises.

LARGE SCALE COMMERCIAL OFFICE BUILDING: A structure used primarily for offices occupying more than thirty-five thousand (35,000) square feet of gross leasable area.

LARGE SCALE RETAIL ESTABLISHMENT: A structure used primarily for retail sales occupying more than thirty-five thousand (35,000) square feet of gross leasable area.

LATTICE: A support structure for telecommunication structures constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation.

LAUNDRY: A place where soiled clothes and linens are washed and/or pressed.

LAUNDRY, CLEANING, AND DYEING PLANT: A structure which houses equipment and supplies for the cleaning and dyeing of cloth and clothing.

LIFE CARE FACILITY: A for-profit or non-profit facility for the transitional residency of elderly and/or disabled persons progressing from independent living to congregate living or a nursing facility.

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

LOCAL STREET: See Street, Local.

LODGE: See Club.

LODGING HOUSE: See Boarding or Lodging House.

LOT or SUBLLOT: A parcel of land occupied or intended to be occupied by a principal structure or a group of such structures and accessory structures, or utilized for a principal use and uses thereto, together with such open spaces and access to or frontage on a public

street, as required by these regulations. For the purposes 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. See also Article 6, Section 6.01 I & J.

LOT AREA: The computed area contained within the lot lines excluding any street right-of-way or other legal dedication of land to the public.

LOT, CORNER: A lot abutting upon two (2) intersecting streets. See also Article 6, Section 6.01 C.

LOT DEPTH: The lot depth shall be the mean horizontal distance between the right-of-way line of the street and the rear lot line.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINES: The lines defining the limits of a lot.

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

LOT, WIDTH OF: The width measured along the minimum building setback line.

MANUFACTURING: A business which produced or fabricates products from raw materials using machinery and/or mechanical power.

MINIMUM BUILDING SETBACK LINE: See Building, Minimum Setback Line.

MINIMUM LIVING FLOOR AREA: See Floor Area, Minimum Living.

MODIFICATION: A determination by the Township Zoning Commission that certain standards, set forth in those Sections of the Zoning Resolution where the Zoning Commission's authority is being exercised under ORC § 519.021(A), do not or should not apply specifically to the circumstances of a particular project because the Zoning Commission has determined that the alternative method proposed to achieve the objectives of the numerical standard is equal to or better than the strict application of the specified standard.

MONOPOLE: A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

MONUMENT SALES AND DISPLAY: An establishment which displays and sells stone statues, markers, pillars, and mausoleums to be placed in memory of someone or something.

MOTEL: See HOTEL.

MOTOR VEHICLE, DISCARDED: See Discarded Automobiles and Heavy Machinery.

MUFFLER SHOP: A business which specializes in the installation and repair of mufflers on various vehicles.

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.

NEWSPAPER PRINTING: An establishment that produces a periodic publication using printing equipment.

NIGHTCLUB: See Bar, Cafe, Cocktail Lounge, Grille, Nightclub, Restaurant or Tavern.

NONCONFORMING USE: The lawful use of any land or structure or the size, bulk or location of structures which size, bulk or location was lawful on the effective date of these regulations or any amendment or supplement thereto, it or they no longer conform to the use regulations of the district in which it or they are situated.

NUDE OR SEMI NUDE MODEL STUDIO: Any place where a person who appears in a STATE OF NUDITY or displays SPECIFIED ANATOMICAL AREAS is provided solely to be sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.

A modeling class or studio is not a nude or semi-nude model studio and is not subject to this chapter if it is operated in any of the following ways:

- (i) By a college or university supported entity or party by taxation.
- (ii) By a private college or university that maintains and operates educational programs, the credits for which are transferable to a college or university supported entirely or partly by taxation.
- (iii) In a structure that has no sign visible from the exterior of the structure and no other advertising indicating that a person appearing in a state of nudity or semi nudity is available for viewing, if in order to participate in a class in the structure, a student

must enroll at least three days in advance of the class and if not more than one nude or semi nude model is on the premises at any one time.

NUDITY, NUDE OR STATE OF NUDITY: The showing of the human male or female genitals, pubic areas, vulva, anus, anal cleft or cleavage with less than a fully opaque covering; or the showing of the female breasts with less than a fully opaque covering of any part of the nipple.

OFFICE: A structure or part of a structure where services are performed involving primarily professional, administrative, or clerical services.

OIL: Crude petroleum oil and all other hydrocarbons, regardless of gravity, that are produced in liquid form by ordinary production methods, but do not include hydrocarbons that were originally in a gaseous phase in the reservoir.

OPEN SPACE: An area that is intended to provide light and air. Open space may include, but is not limited to, meadows, wooded areas, and water bodies. See also Restricted Open Space.

O.R.C. §: Ohio Revised Code section number.

OUTDOOR FURNACES: Generally installed outside, sometimes within a small insulated shed, some distance from the home for the primary purpose of the combustion of solid fuel (wood or corn) to heat interior space or water.

PAINTING: A business which specializes in the application of paint.

PARKING SPACE: An off-street space or berth for the temporary parking of a vehicle for a period of longer than required to load or unload persons or goods.

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

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

PICNIC AREA: A place in which a meal can be eaten outdoors.

PLANT GREENHOUSE: Structure used for the cultivation and protection of plants.

PLAYGROUND: An outdoor area for recreation and play.

PLUMBING: A place of business which specializes in maintaining pipes and fixtures which carry water, sewage, or fuel in residences or businesses.

PRIVATE PARK: A privately owned piece of land with few or no structures maintained for recreational and/or ornamental purposes.

PROCESSING: A series of operations performed in the making or treatment of a product.

PROJECT BOUNDARY: The boundary defining the tract(s) of land that is included in a development project or that is needed to meet the minimum required project area for a conservation development. The term “project boundary” shall also mean “development boundary”.

PUBLIC IMPROVEMENT: Any roadway, sidewalk, pedestrian way, tree lawn, lot improvement, sanitary or storm sewer, water line, 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.

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

RADIO BROADCASTING STATION: A structure which includes the personnel and equipment for the production of radio broadcasts but which does not include a telecommunication tower.

RECREATIONAL FACILITY: A commercial or non-commercial indoor facility for the provision of recreational activity, including but not limited to: racquet club, health and fitness club, skating rink, swim club, or community center.

RECYCLING/SALVAGING: The collection, sorting or processing, and/or distribution of used material to manufacture a new product or good. See also Article 7.10 R.

REGULARLY FEATURES OR REGULARLY SHOWN: A consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as part of the ongoing business of the adult entertainment establishment.

REPAIR GARAGE: See Automotive Repair.

RESEARCH: Scholarly or scientific investigation or inquiry.

RESIDENTIAL DECK: A raised horizontal surface, generally made of wood and generally attached to the dwelling; used for recreational purposes.

RESTAURANT: An establishment selling prepared food and beverage to the public that is primarily consumed on the premises. See also Bar, Café, Cocktail Lounge, Grille, Restaurant, Nightclub or Tavern.

RESTAURANT; CARRY-OUT, DRIVE-UP WINDOW FACILITY: An establishment selling prepared food and beverage to the public primarily in motor vehicles, and also serves prepared food and beverage to the public who are not in motor vehicles.

RESTAURANT; DRIVE-IN: An establishment that permits customers to eat while remaining in a motor vehicle.

RETAIL ESTABLISHMENT: Any structure or establishment occupied as a business for the purpose of serving, storing, selling, offering for sale or keeping with the intention of selling or distributing any good or service.

RESTRICTED OPEN SPACE: Open space within a conservation development that is of sufficient size and shape to meet the minimum zoning requirements that is restricted from further development.

RIPARIAN SETBACK: A naturally vegetated area located adjacent to streams and rivers where uses are restricted in order to stabilize banks and limit erosion. See also Setback, Riparian.

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

ROOFING: A place of business which specializes in creating, repairing, or replacing rooftops.

SCHOOL: Any structure offering the opportunity for teaching or learning. Also see Education Facility.

SEMI NUDE OR STATE OF SEMI NUDITY: A state of dress in which opaque clothing covers not more than the genitals, pubic region, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

SERVICE STATION: See Gasoline Service Station.

SETBACK: The required distance between a structure and a lot line, street right-of-way, pavement, stream or riverbank, wetland or other delineated site feature.

SETBACK, RIPARIAN: A naturally vegetated area located adjacent to streams and rivers that is intended to stabilize banks and limit erosion. See also Riparian Setback.

SETBACK, WETLANDS: An area of undisturbed natural vegetation located adjacent to the perimeter of the wetlands. See also Wetlands Setback.

SEXUAL ENCOUNTER ESTABLISHMENTS : A business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where either of the following occur:

- (i) Two or more persons may congregate, associate, or consort for the purpose of engaging in specified sexual activity.
- (ii) Two or more persons appear nude or semi nude for the purpose of displaying their nude or semi nude bodies for their receipt of consideration or compensation in any type or form.

An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to section 4731.15 of the Revised Code, is not a “sexual encounter establishment.”

SEXUALLY ORIENTED BUSINESS: An adult entertainment business, including an adult arcade, adult bookstore, adult video store, adult cabaret, adult motion picture theater, adult theater or sexual encounter establishment. **SEXUALLY ORIENTED BUSINESS** does not include a **NUDE MODEL STUDIO**.

SHEET METAL: A place of business which sells items fabricated from sheets of metal.

SIGN: Any writing, name, logo or registered trademark, figure, character, outline, display, announcement or device, or structure supporting the same, or any other device of similar nature used for visual communication and designed to attract the attention of the public and visible to the public right-of-way or other properties, and shall include all parts, portions, units and materials composing the same, together with the frame, background, and supports or anchoring thereof. A sign shall not include any architectural or landscape features that may also attract attention.

APARTMENT OR CONDO IDENTIFICATION SIGN: A sign indicating the name and/or address of an apartment or condominium building or complex.

AWNING SIGN: Any sign painted on or attached to or supported by an awning.

BANNER SIGN: A temporary, lightweight sign that contains a message which is attached or imprinted on a flexible surface that deforms under light pressure and that is typically constructed of non-durable materials, including, but not limited to, cardboard, cloth and/or plastic.

BUILDING SIGN: See Wall Sign and/or Window Sign.

BUSINESS CENTER SIGN: A sign which gives direction and identification to a group of two or more uses, whether or not under single management, but located on a parcel of land in single ownership.

CHANGEABLE COPY SIGN: A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system.

CIVIC ORGANIZATION SIGN: A sign displayed by a nationally recognized nonprofit civic organization such as, but not limited to: Rotary Club, Elks, Lions, Masons and Kiwanis.

COMMEMORATIVE PLAQUE: A sign, tablet or plaque commemorating or memorializing a person, event, structure or site.

DIRECTIONAL SIGN: A permanent or temporary instructional sign located on private property at or near the public right-of-way, directing or guiding vehicular traffic onto or off the property and/or towards parking or other identified locations on the property.

DWELLING NAMEPLATE: A sign indicating the address of a dwelling and/or the name of the occupant of the dwelling.

ELECTRONIC MESSAGE CENTER: A sign or portion of a sign whose message or symbols can be changed or altered on a fixed display screen composed of electrically or electronically illuminated segments.

EMERGENCY SIGN: A temporary sign erected to warn motorists and/or pedestrians of an immediate and serious threat to health or safety and removed promptly when the threat to health or safety has ended.

FARM MARKET SIGN: An unlighted sign for use by roadside stand or farm market to advertise seasonal sales of agricultural products.

FLAGS INTENDED FOR ADVERTISING or COMMERCIAL PURPOSES: Flags that advertise a commercial purpose.

GOVERNMENTAL SIGN: A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance, resolution or other governmental regulation.

GROUND SIGN: Any sign or sign structure which is attached to or placed upon the ground any part of which is wider than one (1) foot at any point within five (5) feet above the ground.

HANDICAPPED PARKING SIGN: A sign designating a parking space is limited to vehicles displaying a disability parking placard or disability license plates issued by the Ohio Bureau of Motor Vehicles (BMV) or the comparable agency in any other state, province or country.

HOME OCCUPATION SIGN: Signs permitted on properties designated as home occupations.

IDENTIFICATION SIGN: An identification sign is any sign or sign structure whose sole purpose is to identify the name of address of a structure, facility, resident, business, institution, subdivision, or development. Identification signs may include graphic symbols or logos, but may not contain any advertising message.

INSTITUTIONAL SIGN: Signs permitted for use by any church, school, community center or other public or institutional building.

INSTRUCTIONAL SIGN: A sign clearly intended for the purpose of providing instructional information and which is not in a location and does not possess design characteristics that constitute or serve to attract attention beyond the perimeter of the site.

KIOSK SIGN: Signs attached to a kiosk.

MOBILE SIGN: A sign that is mounted on any form of wheeled platform or conveyance so that it may be moved from one location to another on its wheels.

NONCONFORMING SIGN: A sign that was validly installed under the Zoning Resolution in effect at the time of its installation, but which is not in conformity with the provisions pertaining to signs contained in this Resolution.

OUTDOOR ADVERTISING SIGN: Any sign that advertises a product or service not offered on the same lot on which the sign is displayed, or which directs attention to an activity not conducted on the same lot where the sign is displayed. See also Billboard.

PORTABLE SIGN: Any movable sign not permanently attached to the ground or a building and either mounted on wheels or easily removable using ordinary hand tools.

PROJECTING SIGN: Any sign or sign structure which is attached to or made part of any building surface, except a roof, which projects more than one (1) foot from said surface, and which is oriented to pedestrian traffic.

PROHIBITED SIGN: Signs expressly prohibited or not expressly permitted in Article 8.

ROOF SIGN: Signs that are positioned on the roof of a structure.

SIGN AREA : Refer to measurement standards in Article 8 of this Resolution.

SIGN FACE: An exterior display surface of a sign including non-structural trim exclusive of the supporting structure.

SIGN HEIGHT: Refer to measurement standards in Article 8 of this Resolution.

SIGN PLATE: A sign indicating the address of a building and/or the name of the building occupant.

SUBDIVISION IDENTIFICATION SIGN: Signs permitted at entrances into subdivisions or developments.

TEMPORARY SIGN: Any sign which is installed for a period not to exceed 15 days with the exception of those categories of temporary signs allowed for an unspecified period under these regulations.

WALL SIGN: Any sign or sign structure which is attached to or made part of any building surface, except a roof, which projects less than one (1) foot from said surface. Wall signs shall be permitted only in commercial and industrial districts.

WINDOW SIGN: Signs that are installed inside the window of a structure.

SIGHT-VISION TRIANGLE: A triangular area formed by the street right-of-way lines and a line connecting them at points thirty (30) feet from the intersections of the street lines.

SOCIAL AGENCY: A place of business which is a non- governmental organization that provides any service or activity design to promote the welfare of the community and the individual.

SOLAR PANELS: A silicon based device used to convert energy contained within the suns rays into electricity.

SOLID WASTE COMPOSTING FACILITY: A facility that accepts only source-separated yard waste; where such materials have been transported to the facility by facility owner or his authorized representatives and the cured compost is utilized exclusively by the owner of the facility as a part of the normal operation of the business or service.

SPECIFIED ANATOMICAL AREAS: The cleft of the buttocks, anus, male or female genitals, or the female breasts.

SPECIFIED SEXUAL ACTIVITIES: Any of the following:

- (i) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- (ii) Excretory functions as a part of or in connection with any activities comprising adult entertainment.

STANDARD SUBDIVISION: A major or minor subdivision, as defined by the Ohio Revised Code, in which property is subdivided into lots having the minimum front, side and rear yards as specified by the Zoning Resolution and with each lot having the requisite frontage on a dedicated public street.

STORE: A retail establishment which regularly offers goods for sale directly to a consumer.

STORY: That portion of a structure included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

STORY, HALF: A space under the sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.

STREAM BANK OR RIVER BANK: The ordinary high water mark of the stream or river, otherwise known as the bankfull stage of the stream or river channel. Indicators used in determining the bankfull stage may include changes in vegetation, slope or bank materials, evidence of scouring, and stain lines.

STREET: See Thoroughfare.

STREET, ARTERIAL: This class of street brings traffic to and from expressways and other Arterials, and serves those major movements of traffic within or through the Township not served by expressways. Arterials interconnect the principal traffic generators and high-volume corridors that connect within the Township and rural areas for long and through traffic trips.

STREET, COLLECTOR: This class of street serves the internal traffic movement within an area of the Township, such as a subdivision, and connects this area with an Arterial system. Collectors do not handle long through trips and are not, of necessity, continuous for any great length. This principal difference between Collector and Arterial streets is the length of the trip they accommodate.

STREET, CUL-DE-SAC: A local street having one (1) end open to vehicular traffic and the other end permanently closed with a vehicular turnaround.

STREET, LOCAL: This class of street serves the internal traffic movement within areas such as; major subdivision, industrial areas and commercial areas and connect with other collector and local streets.

STREET, PUBLIC: A public thoroughfare which has been dedicated to the public for public use or subject to public easements therefore, and which afford the principal of access to abutting property.

STREET, RIGHT-OF-WAY LINE: A strip of land taken or dedicated for use as a public way. In addition to the road way, it normally incorporates the curbs, lawn strips, sidewalks, lighting, water and sewer lines, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

STRIPING: Designating an area as a defined path for driving or parking.

STRUCTURAL ALTERATION: Any change in the supporting member of a structure, such as bearing walls or partitions, columns, beams or girders, or any increase in the area of cubical contents of the structure.

STRUCTURE: Anything constructed or erected, the use of which requires permanent location on the ground, or attached to something having a permanent location on the ground, including advertising signs, billboards, pergolas, farms, roadside stands, but not including fences or walls used as fences.

SUPERMARKET: A food store which sells primarily fresh and pre-packaged food to the public and which is 5,000 square feet or larger.

SWIMMING FACILITY: An area containing a swimming pool and associated structures.

SWIMMING POOL: Any artificially constructed basin or tank, above ground or in-ground, permanent or semi-permanent, which contains a depth of water of at least 1 foot at any point and is used or intended to be used for swimming or bathing. See also Article 6, Section 6.01 DD.

TAILOR: A place of business that specializes in the manufacture and alteration of garments.

TAVERN: See Bar, Cafe, Cocktail Lounge, Grille, Nightclub, Restaurant or Tavern

TECHNICALLY SUITABLE: The location of a Wireless Telecommunication Antenna(e) reasonably serves the purpose for which it is intended within the band width of frequencies for which the owner or operator of the Antenna(e) has been licensed by the Federal Communications Board (FCC) to operate without a significant loss or lack of communication capability within developed areas of the Township.

TELECOMMUNICATION(S): The technology that enables information to be exchanged through the transmission of voice, audio, video or data signals by means of electrical or magnetic systems and includes the term “Personal Wireless Services.”

TELECOMMUNICATION TOWER: A structure intended to support equipment used to transmit and/or receive telecommunication signals.

TELEVISION BROADCASTING STATION: A structure for the production and broadcast of television shows, but which does not include a telecommunication tower.

THOROUGHFARE: A street or alley providing right-of-way for vehicular and pedestrian access to property and/or structures.

TIRE REPAIR SALES AND SERVICE: A business which repairs and/or replaces tires for vehicles or machines.

TRAILER OR MOBILE HOME: Any vehicle or structure, in compliance with the Ohio Basic Building Code, and constructed in such a manner as to permit occupancy thereof a sleeping quarter or the conduct of any business, trade or occupancy, 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 powers.

TRAILER PARK OR MOBILE HOME PARK: A tract of land open to the public upon which spaces for trailers or mobile homes are provided for a consideration, whether for overnight, by the day, the week, the month or longer. See also Article 6, Section 6.01U.

TRUCK AND TRAILER SALES AND SERVICE AND STORAGE BOTH NEW AND USED: A retail business which sells or leases new or used trucks or trailers and may also include an area which offers minor repair services of such vehicles.

TRUCK AND TRANSFER TERMINAL: A structure or area in which freight brought in by truck is assembled and/or stored for routing or reshipment or in which semi-trailers, including tractor and/or trailer units and other trucks, are parked and/or stored. Such a business may include an area for minor truck and trailer repairs. Any storage of materials which are being transported is temporary.

TRUSTEES: The Trustees of Copley Township.

UNOBSTRUCTED ACCESS EASEMENT: A right-of-way which provides vehicular and pedestrian access to residential, commercial or industrial structures or groups of structures, and is not dedicated to the public.

USE: The purpose for which a building or premises is or may be occupied. In the classification of uses, a "use" may be a use as commonly understood or the name of an occupation, business, activity or operation carried on, or intended to be carried on in a structure or on premises, or the name of a structure, place or thing which name indicates the use or intended use. See also Article 6, Sections 6.01 A, 6.01 T, and 6.01 U.

VARIANCE: An exception to a zoning restriction that is issued by the Board of Zoning Appeals.

VEHICLE: As defined in Section 4501.01 O.R.C.

WALKWAY: A public way, four or more feet in width, for pedestrian use only, which may or may not be located within the street right-of-way.

WELL: Any borehole, whether drilled or bored, within the Township, for production, extraction or injection of any gas or liquid mineral, excluding potable water to be used as such, but including natural or artificial brines and oil field waters.

WETLAND: An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

WETLANDS SETBACK: See Setback, Wetlands.

WHEEL STOPS: A device consisting of blocks, a permanent curb, expanded sidewalk or other suitable restraint installed whenever a non-residential parking area extends to a lot line.

WHOLESALE ESTABLISHMENT: A business which sells products in quantity to retailers for resale to consumers.

WILDLIFE REFUGE: Protected land set aside to preserve habitats.

WIND TURBINE: A machine that is powered or produces power from the wind.

WINDOW AREA: The window area of a building shall be the total glass area of windows on the building frontage. For the purposes of determining window area for ground floor occupants, the ground floor shall be considered to be no more than fifteen (15) feet in height above grade.

WIRELESS TELECOMMUNICATION ANTENNA: The physical device through which electromagnetic, wireless telecommunication signals authorized by the FCC are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

WIRELESS TELECOMMUNICATION EQUIPMENT SHELTER: The structure or cabinet in which the electronic receiving and relay equipment for a Wireless Telecommunications Facility is housed.

WIRELESS TELECOMMUNICATION FACILITY: A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines for the provision of Personal Wireless Services. This can include the antenna, tower or support structure, equipment and equipment building and any other materials used at the site.

WIRELESS TELECOMMUNICATION TOWER: Any structure, other than a building, that elevates the Wireless Telecommunication Antenna and may include accessory transmission and receiving equipment.

YARD: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. See also Article 6, Section 6.01 K.

YARD, FRONT: A yard extending across the full width of a lot and being the perpendicular distance between the street right-of-way line and the nearest portion of any structure existing or proposed for construction on said lot. Where the right-of-way line is not established, the right-of-way shall be assumed to be sixty (60) feet. See also Article 6, Section 6.01 L.

YARD, REAR: A yard extending across the full width of a lot between the side lot lines and being the perpendicular distance between the rear lot line and the nearest portions of any structure existing or proposed to be considered on said lot. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall be, in all cases, at the opposite end of the lot from the front yard.

YARD, SIDE: A yard between the nearest portion of the structure existing or proposed to be constructed on said lot and the side lines of the lot and extending from the front yard to the rear yard.

YARD WASTE: Yard waste is a tree, plant, brush and soil waste.

ZONING CERTIFICATE: A document issued by the Zoning Inspector that provides written approval for the construction or use of a structure or building.

ZONING MAP: The "Zoning Districts Map of Copley Township, Summit County, Ohio"