

ARTICLE III – DEFINITIONS

For the purpose of interpreting this Ordinance the following definitions shall be controlling.

ACCESSORY BUILDING: A subordinate building the use of which is customarily incidental to that of the main building, and which is located on the same lot or parcel of land.

ACCESSORY USE: A use, not otherwise contrary to law, customarily incidental to the use of a building for dwelling purposes.

AGRICULTURE: The use of land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture and animal and poultry husbandry. The above uses shall not include the feeding or sheltering of animals, exclusive of domesticated household pets, within one hundred (100) feet of an adjacent residential dwelling.

AIR CONDITIONING UNITS: Any exterior mounted air conditioning equipment necessary to a total cooling or ventilating system, including the mounting of such system, shall be considered part of structure and must be placed in rear yard and comply with rear yard restrictions.

ALLEY: A public thoroughfare having a right-of-way width of twenty (20) feet or less regardless of how named.

ALTERATION OF BUILDING: Any change in supporting members of a building except such a change as may be required for its safety, any addition to a building, any change in use from one district classification to another, or removal of a building from one location to another.

APARTMENT HOUSE: A multiple-family dwelling. (See below).

BANNER SIGN: A sign made of fabric or any non-rigid material with no enclosing framework.

BILLBOARD SIGN: An off premise signs which offers message space for rent or lease for any purpose.

BLOCK: The length of a street between two (2) intersections.

BOARDING HOUSE OR ROOMING HOUSE: A dwelling other than a hotel wherein more than three (3) people are sheltered or fed for profit.

BUFFERING: An area that is established on a parcel of land for the purpose of promoting the health, safety and general welfare; and to further protect the aesthetic values of adjoining property.

BUILDING, HEIGHT OF: The vertical distance measured from the highest ground elevation at the structure to the highest point of the structure, excluding chimneys, vent stacks, satellite earth station dishes, and antennae.

CENTER LINE OF STREET: A line midway between and parallel to the two (2) street or property lines.

CURB CUTS: A cut at the public road or right of way to enter private property. The Zoning Office has the

right to review and approve or not approve all curb cuts, based on Public Health, Safety and Welfare.

CLUB: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational or recreational purpose, primarily for the exclusive use of members and their guests.

COMMERCIAL ENTERTAINMENT FACILITIES: Any profit making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges and similar entertainment activities.

COMPREHENSIVE DEVELOPMENT PLAN: A plan, or any portion thereof, adopted by the Planning Commission and the legislative authority of the Township of Boardman, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools and other community facilities. This plan establishes the goals, objectives, and policies of the community.

CONDITIONAL USES: A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals.

CONDITIONAL USE PERMITS: A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

CONDOMINIUM: A building or group of buildings in which units are individually owned but the structure, common areas and facilities are owned on a proportional, undivided basis by all of the owners.

CORNER LOT: A lot fronting on two (2) side property lines lying between the building line or front main wall of a building and the front property line.

DUMP: Land used for the disposal, by abandonment, dumping, burial, burning or any other means, and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.

ENTRANCE: The terminus of any access driveway or driveway, which intersects with a dedicated public right-of-way or non-dedicated private drive.

FESTOONS: A piece or string of pieces of fabric, plastic or any similar material with a distinctive design or advertisement used to attract attention to a business or permitted use.

FRONT YARD: The space between the side property lines lying between the building line or front main wall of a building and the front property line.

HEATING AND COOLING DEVICES AND APPURTENANCES: Any equipment necessary for the operation of a heating or cooling system for any building, whether surface or rooftop mounted, in any district, including the following:

- (1) Heat Exchanges
- (2) Cooling towers of more than three (3) horsepower capacity
- (3) Evaporative condensers

- (4) Exhaust fans
- (5) Air intake fans
- (6) Protective fencing around same
- (7) Solar heating or cooling screens or devices

Wall or window mounted room size air conditioners are excluded from the above. In all other instances, heating and cooling devices and appurtenances shall be considered a structure.

HEIGHT OF BUILDING: The vertical distance measured from the average ground level at the sides of the building to the extreme high point of the building, exclusive of chimneys and similar fixtures.

LANDSCAPING: As pertaining to a buffer zone, shall include living, perennial plantings at least six (6) feet high, forming an obstruction of vision. This planting shall conform to the restrictions at an intersection described elsewhere.

LAND USAGE: Land cannot be used for more than one purpose except as provided under Accessory use.

LOADING SPACE/DELIVERY AREA: 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 vehicle while loading or unloading merchandise or materials. Required off-street loading space is not to be included in computation of required off-street parking spaces. All off-street loading spaces shall be located totally outside of any street right-of-way.

LOT: A parcel of land occupied by, or which may be occupied by, a building and accessory building and including the yards and other open spaces required by this ordinance, or the land shown as a separate lot or parcel on the records of Mahoning County.

MOTEL: A building with or without party walls, or any group of buildings, used primarily for sheltering of transients and permanent dwellers, and any accessory uses, such as feeding, parking, selling of beverages and notions.

MORTUARY: A place, especially a funeral home, where deceased bodies are kept prior to burial or cremation.

MOTOR HOME: A motor home is hereby defined as a self-propelled vehicle, which can be used as living quarters and is governed by the provision of "Parking Regulations" only if it is to be stored on the premises.

SINGLE FAMILY DWELLING: A detached house designed for the use of a single household. The word "family" as used in the Ordinance as it applies to Residence R-1, R-1A and Residence R-2, and Residence R-3 Districts shall mean one or more persons related by blood, adoption, or marriage, or not more than two unrelated persons, living and cooking together as a single housekeeping unit. This shall not exclude the placement of foster children placed by the Court or Social Agency.

TWO FAMILY DWELLINGS: A dwelling with or without party walls designed or arranged for occupancy by two families.

MULTIPLE FAMILY DWELLING: Any building under a single roof, with or without firewall partitions or party walls, designed for occupancy by or occupied by three (3) or more families and including an apartment house of any size.

OPEN PORCH: A porch open on two (2) or more sides, except for wire screen. A porch shall not be considered open if enclosed by either permanent or detachable glass sash. A porch on the front of a building may not extend beyond ten (10) feet of the setback line.

PARKING STALLS: 162 square feet (9 X 18)

PLANNED UNIT DEVELOPMENT: An area of land in which a variety of housing types and subordinate business, commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans. All Planned Unit Developments must go before the Zoning Board of Appeals.

POLITICAL SIGN: A temporary sign used in connection with a local, state, or national election- or referendum.

PORTABLE SIGN: A temporary sign designed to be moved easily.

PRIVATE GARAGE: A detached accessory building or portion of a principal building for the parking or temporary storage of automobiles, boats and/or trailers of the occupants of the premises and wherein:

1. Not more than one space is rented for parking to a person not residing on the premises;
2. No more than one commercial vehicle per dwelling unit is parked or stored;
3. Repair work is limited to the normal maintenance of vehicles owned by the person or persons residing on the premises;
4. Private garage is limited to one (1) story, maximum height of sixteen (16) feet. There shall be no living quarters in a detached garage. There shall be no more than one (1) outbuilding, other than a detached garage, per residential lot. No detached garage shall exceed Six-Hundred seventy-six (676) square feet in area.

PUBLIC GARAGE: A garage conducted as a business. The rental of storage space for more than two (2) cars not owned by persons residing on the premises shall be deemed a business use.

REAR YARD: An open space between the rear wall of the main building and the rear line of the lot and unoccupied except for accessory building, including among others, either attached or detached garages or open porches. In the case of a corner lot, the owner may designate any interior lot line as the rear lot line.

RECYCLING CENTER: A facility for the collection of products such as paper, glass, plastic and metals intended for reprocessing or recycling.

ROADSIDE STAND (FARM MARKET): A temporary vehicle or temporary stand without foundation used for the sale of agricultural produce where fifty percent (50%) or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year, in accordance with ORC Section 519.21, as amended June, 1982.

SANITARY LANDFILL: A disposal site employing a method of disposing of solid waste in accordance with

the current ORC regulations.

SATELLITE SIGNAL RECEIVER: "Dish-type Satellite Signal-Receiving Antennas: "earth station" or "Ground Stations", whether functioning as part of a basic service system, direct broadcast satellite system, or multipoint distribution service system, shall mean one, or a combination of two or more of the following:

- (a) A signal-receiving device such as a dish antenna whose purpose is to receive communications or signals from earth-orbiting satellites or similar sources.
- (b) A low-noise amplifier (LNA) whose purpose is to boost, magnify, store, transfer or transmit signals.
- (c) A coaxial cable whose purpose is to convey or transmit signals to a receiver.

SIDE YARD: An open unobstructed space on the same lot with a building, between the building and the side line of the lot and extending through from the front to the rear yard, into which space is no extension of building parts other than eaves with an overhang of not more than three (3) feet, rain water leaders, window sills, and other such fixtures, open steps, and bay windows, not more than twelve (12) feet wide, at one (1) floor level only and for a distance not to exceed two (2) feet.

SIGNS: Any visual communication display, object, device, graphics, structure, or part, situated indoors or outdoors, or attached to, painted on, or displayed from a building or structure, in order to direct or attract attention to, or to announce or promote, an object, person, service, product, event, location, organization or the like, by means of letters, words, designs, colors, symbols, pictures, images or illumination and include the following:

1. **Monument Sign:** A sign that is designed to rest on the surface of the ground on a permanent foundation and have no open space between the sign structure and the ground surface.
2. **Pole Sign:** A sign that is designed to be elevated above the surface of the ground and supported by a pole or other like support and having open space under the sign face.
3. **Temporary Sign:** A sign not constructed on a permanent foundation.
4. **Wall Sign:** A sign permanently affixed to an exterior wall of a structure.

STORY: That part of a building included between any floor and the floor or roof next above. When applying to the permissible height of buildings, the term "story" shall not include a basement if the basement is not designed for living quarters and if the ceiling thereof is not more than four (4) feet above the average ground level.

STREET, THOROUGHFARE OR ROAD: The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designed as follows:

1. **Alley:** A minor street used primarily for vehicular service access to the back or side of properties abutting on another street;
2. **Arterial Street:** A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous street;
3. **Collector Street:** A thoroughfare, whether within a residential, industrial, business or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions;
4. **Cul-de-Sac:** A local street of relatively short length, with one end open to traffic and the other end terminating in a vehicular turn around;
5. **Dead-End Street:** A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.

6. **Local Street:** A street primarily for providing access too residential or other abutting property.

STREET LINE: A street line is the right-of-way or established property line of a street as indicated by dedication or by deed of record.

TERMS: The present tense shall include the "future"; the Singular number shall include the "Plural" and the plural, the "Singular". The word "Shall" is always mandatory.

TOWNHOUSES: Three (3) or more attached houses in a row with party walls.

TRUSTEES: The Board of Trustees of Boardman Township.

VARIANCE: A variance is a modification of the strict terms of the relevant resolutions where such modifications 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 resolutions would result in unnecessary and undue hardship or practical difficulty