

CHAPTER 1179
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CROSS REFERENCES

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1179.01 RULES FOR INTERPRETATION.

Words in the Development Code are used in their ordinary English usage. Certain terms and words, however, are herein defined and wherever used in the Land Planning and Subdivision Regulations and the Zoning Code, shall have the meaning indicated in this Chapter, except where the context clearly indicates a different meaning.

(Ord. 59-73. Passed 7-23-73.)

1179.02 GENERAL TERMS.

(a) The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual, or any other legal entity including his or its agents.

(b) The word "shall" is to be interpreted as mandatory and shall be complied with unless waived; "may" is to be interpreted as having permission or being allowed to carry out a provision; "should" is to be interpreted as expressing that the application of such criterion or standard is desired and essential unless other commensurate criteria or standards are achieved.

(c) All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary.

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- (d) "Used for" shall include "arranged for", "designed for", "intended for", "maintained for" or "occupied for".
- (e) "Such as" shall be construed as introducing a typical or illustrative enumeration of uses. A colon used to introduce an enumeration shall be construed as being the complete enumeration of uses, and not illustrative.
- (f) "Regulation" means a rule, restriction or other mandatory provision intended to control, require or prohibit an act.
- (g) "Standard" means a test, measure, model or example of quantity, extent or quality.
- (h) "Criterion" or "guideline" means a principle by which the planning of the development shall be guided.
- (i) "City" means the City of Rocky River.
- (j) "Commission" means the City Planning Commission.
- (k) "Council" means the City Council.
- (l) "Appeals Board" means the Board of Zoning and Building Appeals or Board of Appeals of the City.
- (m) "Review Board" means the Design and Construction Board of Review of the City.
- (n) "Commissioner" means the Building Commissioner of the City.
- (o) "Clerk" means the duly acting and qualified Clerk of Council.
- (p) "Engineer" means any person registered to practice professional engineering by the State Board of Registration as specified in Ohio R.C. 4733.14.
- (q) "City Engineer", as defined in Section 144.01 of the Codified Ordinances of the City of Rocky River.
(Ord. No. 66-05. Passed 4/18/05.)
- (r) "Developer" or "subdivider" means a person commencing proceedings under the Development Code to effect a subdivision or development of land and buildings for himself or for another.
- (s) "Development Code" means the Land Planning and Subdivision Regulations and the Zoning Code of the City.

(t) "Surveyor" means any person registered to practice land surveying within the State of Ohio.

(Ord. 59-73. Passed 7-23-73.)

1179.03 AREAS, BUILDING AND LAND.

(a) "Area of buildings" or "foundation area" (site planning) means the area at the ground level of the main building and all accessory buildings, excluding unenclosed porches, terraces and steps, measured from the outside surface of exterior walls.

(b) "Area of dwelling unit" (architectural) means the sum of the floor areas above the ground level within the exterior enclosing walls or between exterior walls and fire walls, including those rooms and closets having the minimum ceiling height, light, ventilation and other features as required by the Building Code of the City and as further classified and defined in Chapter 1147.

(c) "Area of lot" means the total horizontal area within the lot boundary lines. (Ord. 59-73. Passed 7-23-73.)

1179.04 AUTOMOTIVE USES.

(a) "Private garage" means an accessory building or part of the main building used for the parking or temporary storage of passenger automobiles of occupants of any one or two-family dwelling, and in which no occupation, business or service shall be conducted for remuneration.

(b) "Storage garage" or "community garage" means an accessory building, other than a private garage, used for the parking or temporary storage of passenger automobiles, and in which no service shall be provided for remuneration.

(c) "Repair garage" means a main or accessory building used or designed for repairing motor vehicles; a service garage if accessory to an automobile salesroom.

(d) "Accessory parking area" means an open or enclosed private area, other than a street, used for the free parking of passenger automobiles for occupants of a main building, their guests or customers.

(e) "Public parking area" means an open or enclosed publicly-owned area used for passenger automobile parking, with or without a fee.

(f) "Loading space" means an open or enclosed space, other than a street or parking area used for the temporary parking of a commercial vehicle while its goods are being loaded or unloaded.

(g) "Service station" means a building and accessory structures used for the retail sale of gasoline, lubricants, batteries, tires and other automobile accessories and for performing minor services and repairs.
(Ord. 59-73. Passed 7-23-73.)

(h) "Out-of-use automobile vehicle" means a vehicle that cannot be driven upon the public streets for reasons including, but not limited to, being unlicensed, wrecked, abandoned, in a state of disrepair or incapable of being moved under its own power.
(Ord. No. 94-05. Passed 9/12/05.)

(i) "Commercial vehicle" or truck means any motor vehicle that is designed and intended and/or used for the carrying of merchandise or freight and the carrying out of any commercial activity including, but not limited to, the following:

- Box truck
- Flat truck
- Tow truck
- Construction vehicle
- Dump truck
- Parcel delivery truck
- Panel truck
- Vehicles that have winches or snow plows attached
- Van or pick up with a manufacturer's nominal rated carrying capacity of more than one ton
- Van or truck that displays and/or advertises a company name or logo on the side of the vehicle

(Ord. No. 147-05. Passed 11/21/05.)

1179.05 BLOCK.

"Block" means an area of land bounded by streets, public or common land, railroad rights of way, shore lines or by other definite limits.
(Ord. 59-73. Passed 7-23-73.)

1179.06 BUILDINGS AND STRUCTURES.

(a) "Structure" means that which is constructed on or under the ground or attached or connected thereto, included but not limited to: buildings, barriers, bridges, bulkheads, bunkers, chimneys, fences, garages, outdoor seating facilities, platforms, decks, pools, poles, tanks, tents, towers, sheds, signs and walls; excluding trailers and other vehicles whether on wheels or other supports.

(b) "Building" means a structure which is permanently affixed to the land, having one (1) or more floors and a roof, being bounded by either open space or lot lines, and used as an enclosure or shelter for persons, animals or property. (Ord. 118-97. Passed 7-28-97.)

(c) "Main building" means the building, group of buildings, occupied by the main use or activity on the premises, all parts of which are connected by common walls and a continuous roof.

(d) "Accessory building" means a subordinate building detached from, but located on the same lot as the main building, the use of which is incident and accessory to that of the main building or use.

(e) "Building line" (synonymous with setback line) means a line established by the Zoning Code, generally parallel with and measured from the front lot line, defining the limits of a front yard in which no building or structure may be located above ground except as may be provided otherwise in this Code.

(f) "Detached building" means a building surrounded by open space.

(g) "Basement" means the space within a building where the floor level is more than two (2) feet below the finished grade. (Ord. 59-73. Passed 7-23-73.)

1179.07 FAMILY AND HOUSEHOLD.

(a) "Family" means either one (1) individual, or two (2) or more persons related by blood, marriage or adoption, who live together in one (1) dwelling unit and maintain a common household.

(b) "Household" means all the persons who occupy a dwelling unit.

(c) "Roomer" means a person, other than a member of the family as defined above, who rents one (1) or more rooms in a dwelling from the resident family. (Ord. 59-73. Passed 7-23-73.)

1179.08 DWELLINGS AND OTHER LIVING ACCOMMODATIONS.

(a) "Dwelling Unit" means space, within a dwelling, comprising: habitable room for living, dining, sleeping and cooking, as well as space for bathing and toilet facilities, closets, halls, storage and utility facilities, all used by only one (1) family, and its household employees, if any.

(b) "Dwelling" means a building designed or occupied exclusively for nontransient residential use and permitted accessory uses, including one-family, two-family or multi-family buildings.

(c) "One-family Dwelling" or "Single family Dwelling" means a dwelling consisting of one (1) dwelling unit separated from all other dwelling units by open

space on all sides.

(d) "Two-family Dwelling" means a building consisting of two (2) dwelling units which may be either attached side by side or one (1) above the other, having either a separate or combined entrance or entrances, including double, duplex and flats.

(e) Multi-family housing" means a building consisting of multiple dwelling units with varying arrangements of entrances and party walls, including:

- (1) "Townhouse" or attached single family dwelling, means a multi-family building comprised of two (2) or more single dwelling units attached side by side by common fire walls, each unit having at least one (1) separate outside entrance.
- (2) "Apartment" means a multi-family building comprised of three (3) or more dwelling units arranged one (1) above the other and side by side, with each unit having at least one (1) entrance to a common hall leading to the exterior.
- (3) "Senior Citizen Housing" means a building or group of buildings containing apartments or other dwelling units designed and administered for the special needs of elderly persons, which may contain related recreation, social and health facilities. Sites shall be selected, and senior citizen housing shall be designed, regulated, altered, maintained or occupied only in accordance with the criteria regulations and conditions as set forth in this Section.
- (4) "Congregate Housing" means multi-family housing facilities designed and administered for the elderly wherein residents shall be provided at least one (1) meal per day, central eating and recreation facilities, housekeeping, limited nursing care and other personal services in accordance with the criteria regulations and conditions as set forth in this Code.

(f) "Cluster Development" means a group of three (3) or more detached dwelling units in a 1F-R1 District, the criteria and standards of which are set forth in Chapter 1145 of this Code.

1179.09 GRADES.

(a) "Established street grade" means the elevation established by the City at the roadway centerline or curb in front of the lot.

(b) "Natural grade" means the elevation of the undisturbed natural surface of the ground prior to any excavation or fill.

(c) "Finished grade" means the elevation of the finished surface of the ground

adjoining the building after final grading and normal settlement.
(Ord. 59-73. Passed 7-23-73.)

1179.10 HEIGHT OF BUILDING.

(a) "Height of building" means the vertical distance measured from the highest point of the coping of a flat roof, or the vertical distance measured from the mean level between the eaves and ridge of a pitched roof, to the average natural grade across the wall of the building which is closest to and most nearly parallel with the front lot line. (Ord. 148-95. Passed 2-5-96.)

(b) "One-story dwelling" means a dwelling in which there are no habitable rooms above the first floor.

(c) "One and one-half story dwelling" means a dwelling in which the areas of the habitable rooms on the second floor are substantially less than the areas of habitable rooms on the first floor.
(Ord. 59-73. Passed 7-23-73.)

1179.11 HOSPITALS.

"Hospital-community general" means an institution providing the basic services of medicine, surgery, obstetrics and pediatrics, generally for a limited period of time.
(Ord. 59-73. Passed 7-23-73.)

1179.12 LAND, LOT AND PARCEL.

(a) "Land" includes improvements and fixtures on, above, or below the surface and also refers to the fee simple title and any lesser interest such as a leasehold or easement.

(b) "Lot" means a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

(1) A single lot of record.

(2) A portion of a lot of record.

(3) A combination of complete lots of record, a complete lots of record and portions of lots of record or of portions of lots of record.

(c) "Lot of record" means a lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

(d) "Zoning lot" means a parcel of land abutting a dedicated street, occupied

or intended to be occupied by a main and/or accessory building or use as a unit together with such open spaces as required by the Zoning Code. Unless the context clearly indicates otherwise, such as a nonconforming lot, the term "lot" is used synonymously with "zoning lot" herein.

(e) "Corner lot" means a lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

(f) "Interior lot" means a lot other than a corner lot with only one (1) frontage on a street.

(g) "Through lot" means a lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.

(h) "Reversed frontage lot" means a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

(i) "Lot line" means the boundary of a lot separating it from adjoining public, common or private land, or a public street.

(j) "Front lot line" means the lot line separating an interior lot from the street upon which it abuts; or the shortest lot line of a corner lot which abuts upon a street. Unless the context clearly indicates the contrary, it shall be construed as synonymous with "street line".

(k) "Rear lot line" means a lot line parallel or within forty-five (45) degrees of being parallel to the front lot line.

(l) "Side lot line" means a lot line which is neither a front nor rear lot line.

(m) Lot Measurements: A lot shall be measured as follows:

(1) "Lot depth" means the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

- (2) "Lot width" means the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line, provided, however, that the width between side lot lines at their foremost points, where they intersect with the street line, shall not be less than eighty (80) percent of the required lot width.

(n) "Permanent parcel number" means a number assigned to each parcel of land within the corporate limits and consisting of three (3) parts separated by a hyphen as follows: (part 1) the City's Plat Book Number, (part 2) the Page Number in Plat Book where the plat is recorded, (part 3) the lot number on the page.

(o) "Condominium", or joint ownership, means ownership in common or undivided interest, with others of a parcel of improved land and certain parts of the building which are held for the use and enjoyment by the occupants such as yards, walls, floors, basements, hallways, elevators and all other related common elements, together with individual ownership in fee of a particular unit or apartment in such building and any private land attached thereto for the exclusive use of the joint owners.

(p) "Homes association" means an incorporated, nonprofit organization operating under recorded land agreements, through which each lot owner of a development area is a member, and each lot is subject to charges for a proportionate share of the expenses for the organization's activities such as maintaining common property.
(Ord. 59-73. Passed 7-23-73.)

1179.13 MAPS, PLATS AND PLANS.

(a) "Map" means a drawing showing geographic, topographic or other physical features of the land.

(b) "Plat" means a map of a lot, parcel or subdivision on which the lines of each element are shown by accurate distances and bearings.

(c) "Plan" means a drawing of a proposed design or of work to be performed.

(d) "Land development plan" means a plan showing existing and proposed location, extent, distribution and intensity of development of land to be used in the future for residential, business, industrial, recreational, educational or other private or public purpose, or a combination of such purposes.

(e) "Master Plan" means a composite of plans, statements and recommendations for the physical, economic and social development of the City, including the location, extent and intensity of future land development, community facilities and transportation plans for the City duly adopted or officially accepted.

(f) "Comprehensive Development Plan" means a plan or any portion thereof, adopted by the Planning Commission and Council of the City of Rocky River, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major streets, parks, schools and other community facilities. This plan establishes the goals, objectives and policies of the community.

(g) "Community Facilities Plan" means the plan which shows the location and extent of existing, planned and proposed parks, playgrounds, public land and buildings and other public facilities for the City, duly adopted or officially accepted, separately or as a part of the Master Plan.

(h) "Major Thoroughfare Plan" means the comprehensive plan adopted by the Planning Commission indicating the general location recommended for arterial, collector or local thoroughfares within the corporate limits of the City.

(i) "Street Plan" means the plan which shows the general location and extent of existing, planned and proposed streets and other transportation facilities for the City, duly adopted or officially accepted, separately or as a part of the Master Plan.

(j) "Mapped Street Plan" means a drawing of sufficient size, scale and detail to show with appropriate dimensions the exact locations of a mapped street line or lines with reference to present street lines and boundaries of property affected by the mapped street line or lines.

(k) "Concept Plan" means a plan prepared by or for the City for guiding the design development plans and otherwise implementing components of the Master Plan and may include, but not limited to design, bulk, use, height, location and arrangements of buildings and other structures; land features in respect to streets, easements for public facilities, for open spaces for common use and natural features.

(l) "Development area" means the area of a parcel or assembled parcels of land required by the Zoning Code to be developed by a single owner or a group of owners, acting jointly under a planned development procedure.

(m) "Design plan" means a drawing prepared by a developer for the purpose of study of a subdivision of land, or a preliminary plan of land and buildings of a development area and, when approved by the City, permits proceeding with the preparation of the final plat of a subdivision or final plan of a development area.

(n) "Final plat" means the final map prepared by a developer based upon the approved preliminary plan of a subdivision, and after the land improvements are constructed, or construction guaranteed, the approved plat shall be recorded.

(o) "Improvements plan" means the detailed drawings, specifications, agreements and other documents required for construction of the land improvements of a subdivision or a development area.

(p) "Monuments" means permanent markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary line corners and points of change in street alignment.
(Ord. 59-73. Passed 7-23-73.)

1179.14 NONCONFORMING BUILDING, LAND AND USE.

(a) "Nonconforming building" means a building which was lawful prior to the adoption of the Zoning Code, or an amendment thereto, but which does not conform to the area, height, or bulk of building, yard or other regulations of the district in which it is located by reason of such adoption or amendment.

(b) "Nonconforming lot" means a lot which was lawful prior to the adoption of the Zoning Code, or an amendment thereto, but which does not conform to the lot, area, width, access or other requirements of the district in which it is located by reason of such adoption or amendment.

(c) "Nonconforming use" means the use of a building or land which was lawful prior to the adoption of the Zoning Code, or an amendment thereto, but which does not conform to the use regulations of the district in which it is located by reason of such adoption or amendment.
(Ord. 59-73. Passed 7-23-73.)

1179.15 OCCUPANCY CERTIFICATE.

"Occupancy Certificate" means an official statement certifying that a building, other structure, or parcel of land is in compliance with the provisions of all existing codes, or is a lawfully existing nonconforming building or use and hence, may be occupied and used lawfully for the purposes designated thereon. (Ord. 59-73. Passed 7-23-73.)

1179.16 OFFICES.

(a) "Administrative office" means a building or group of buildings designed for administrative, managerial or executive business activities, providing services only to the main use.

(b) "Home office" means a secondary office in a dwelling occupied by a person practicing a profession or occupation as permitted in the Zoning Code. (Ord. 59-73. Passed 7-23-73.)

1179.17 SIGNS.

"Sign" means any display, figure, painting, drawing, placard, poster or other device visible from a public way or any point off of the site which is designed, intended or used to convey a message, advertise, inform or direct attention to a person, institution, organization, activity, place, object or product; as further classified and defined in Chapter 1163. (Ord. 59-73. Passed 7-23-73.)

1179.18 STREETS.

(a) "Public way" means an alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-ways, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

(b) "Walkway" means a dedicated public way four (4) feet (1.22m) or more in width, for pedestrian use only, whether along the side of a road or not.

(c) "Street" means a public way for purposes of vehicular travel, including the entire area within the rights of way. The term includes, but is not limited to, avenue, alley, boulevard, drive, highway, road and freeway. Streets shall be classified and further defined as follows:

(1) "Arterial street" means a public street which is primarily for moving fast or heavy traffic between large or intensively developed districts.

- (2) "Collector street" means a street supplementary to and connecting arterial streets to local streets.
- (3) "Local street" means a street primarily for access to abutting residential properties, and to serve local needs, including:
- A. "Cul-de-sac" means a local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
 - B. "Marginal access street" means a local street providing access to lots which abut or are adjacent to a limited access highway or arterial street.
 - C. "Loop street" means a local street, both ends of which intersect with the same street at different points and which intersects with no other street.
 - D. "Alley" means a local street used primarily for vehicular service access to the back or side of properties abutting on another street.
 - E. "Dead-end street" means a street temporarily having only one (1) outlet for vehicular traffic, and intended to be extended or continued in the future.
- (4) "Private street" means a street held in private ownership.
- (5) "Right of way" means all of the land for use as a public way included within an area which is dedicated, reserved by deed or granted by easement.
- A. "Roadway" means the pavement measured between curbs, that portion of a right of way available for vehicular travel, including parking lanes.
 - B. "Tree lawn" means that portion of a right of way lying between the exterior line of the roadway and the outside right of way line which may include a public sidewalk.
- (6) Other rights of way are as follows:
- A. "Easement" means an authorization by a property owner for the use of another, and for a specified purpose, of any designated part of his property.

B. "Pedestrian way" means a dedicated public right of way solely for pedestrian circulation. (See also walkway.)

C. "Drainage way" means the land required for construction or maintenance of storm water sewers or required along a drainage ditch, natural stream or watercourse.

(Ord. 59-73. Passed 7-23-73.)

1179.19 SUBDIVISION.

(a) "Subdivision" means the division of any parcel of land shown as a unit or as contiguous units on the last preceding records of the County Auditor, into two (2) or more sites or lots, any one of which is less than five (5) acres (4065.60m²) for the purpose, whether immediate or future, of transfer of ownership, or building development.

Subdivision also includes the improvement of one (1) or more parcels of land for residential, business 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, or as easements for the extension and maintenance of public sewers, drainage, water supply or other public facilities and the division or allocation of land as open spaces for common use by owners, occupants or leaseholders; and the term includes resubdivision, which means the further division or the assembly of lots within a subdivision; it may refer also to the process of subdividing and the land subdivided when appropriate to the context.

(b) "Terrain classification" means the classification of the terrain within the area of the preliminary plat as level, rolling, hilly or hillside for street design purposes. The classifications are as follows:

- (1) "Level" means that the land has a cross slope range of four (4) percent or less;
- (2) "Rolling" means that the land has a cross slope range of more than four (4) percent, but not more than eight (8) percent;
- (3) "Hilly" means that the land has a cross slope range of more than eight (8) percent, but not more than fifteen (15) percent;
- (4) "Hillside" means that the land has a cross slope range of more than fifteen (15) percent.

(c) "Watershed" means the drainage basin into which the subdivision, or the area drains or that land whose drainage is affected by the subdivision.

(Ord. 59-73. Passed 7-23-73.)

1179.20 USE.

(a) "Use" means any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied; or any activity, occupation, business, profession or operation conducted in a building, other structure or on land.

(b) "Main Use" means the principal purpose of or activity conducted in a building, other structure or land.

(c) "Accessory Use" means a use located on the same zoning lot with the main use of the building, other structure or land, but incidental to the main building or land use.

(d) "Conditional Use" means a use which is permitted in a district by a conditional use permit, as regulated herein, approved by the Planning Commission and Council which meets special conditions of use. (Ord. 43-85. Passed 6-10-85.)

1179.21 VARIANCE.

"Variance" means a modification of the strict interpretation of the relevant regulations on a decision or interpretation by a City official requested by a person believing himself to be unduly penalized as a result of such strict interpretation, ruling or decision. (Ord. 59-73. Passed 7-23-73.)

1179.22 YARDS AND COURTS.

(a) "Yard" means that portion of the open area on a lot extending between the building and the nearest lot line; or between certain uses and the nearest lot line as required in the Zoning Code.

(1) "Front Yard" means the yard extending from the front wall of the building to the front lot line across the full width of the lot.

(2) "Rear Yard" means the yard extending from the rear wall of the building to the rear lot line across the full width of the lot.

(3) "Side Yard" means the yard extending between a side lot line and the nearest wall of the building, and from the front yard to the rear yard; provided that, for a corner lot, the side yard extends from the front yard to the rear lot line on the street side.

(4) "Required Yard" means the minimum yard required between a lot line and building line or the line of any parking area or any other use requiring a yard in order to comply with the zoning regulations of the district in which the zoning lot is located. A required yard shall be open and unobstructed from the ground upward, except for projections on

buildings as permitted in the Zoning Code, and except for walks, landscaping and other yard or site features.

(b) "Court" means an open space other than a yard, bounded on two (2) or more sides by exterior walls of the building, or bounded by exterior walls of a building and lot lines.

(Ord. 59-73. Passed 7-23-73.)

1179.23 ZONING PERMIT.

"Zoning Permit" means a document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures and the characteristics of the uses.

(Ord. 59-73. Passed 7-23-73.)

1179.24 RECREATIONAL EQUIPMENT.

"Recreational Equipment" includes snowmobiles, floats, rafts, boats and boat trailers, including normal equipment to transport the same, and also includes any of the following recreational vehicles as each is hereinafter defined:

(a) "Travel Trailer" means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses.

(b) "Pick-up Camper" means a structure designed primarily to be mounted on a pick-up truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses.

(c) "Motor Home" means a portable dwelling designed and constructed as a integral part of a self-propelled vehicle.

(d) "Folding Tent Trailer" means a canvas folding structure, mounted on wheels and designed for travel and vacation use.

(Ord. 49-75. Passed 9-8-75.)

1179.25 RESTAURANT

"Restaurant" means an establishment selling and serving of food, beverages and desserts to a customer in a ready-to-consume state.

"Sit-Down Restaurant" means an establishment or restaurant whose principal business is the selling and serving of food, beverages and/or desserts in a ready-to-consume state where customers are served at tables or counter with the consumption of the food within the building and customers are seated.

"Drive-in-Restaurant" means an establishment or restaurant where any selling and/or serving of food, beverages and/or desserts in a ready-to-consume state can be ordered, paid for and/or served to a customer who is outside the building in a motor vehicle using a drive-in or drive-thru pickup, window, counter and/or microphone or speaker. The term "Drive-in-Restaurant" shall include drive-thru or drive-up or any other form of restaurant that contains facilities herein described. Drive-in restaurants shall only be permitted in the General Business District as established in this Zoning Code.

"Carry-out Restaurant" means an establishment or restaurant whose principal business is the selling and serving of food, beverages and/or desserts in a ready-to-consume state where customers are served at a counter within the building and the food or beverage may be consumed off premises.

(Ord. 42-95 - Passed 4-24-95)

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