

## Sagamore Hills Township

### DEFINITIONS

This entire section reviewed and approved by Resolution 20-74 Adopted 11-9-20  
Effective 12-9-20

#### Section 2.0 Definitions

**Definitions in general** - Words used in the present tense include the future, the singular number includes the plural, and the plural, the singular. The words "occupied" or "used" as applied to any building or premises shall be construed as though followed by the words "or intended, arranged, or designed, or designed to be occupied or used." All distances are horizontal measurements unless otherwise specified. The word "shall" is mandatory, unless the natural construction of the wording indicates otherwise. This Resolution includes all resolutions, amending, explaining or supplementing the same. The Township Zoning Inspector includes all persons succeeding him by whatever title known, in the duties and powers provided for him by this Resolution.

- 2.1 **Accessory Building** - A subordinate structure detached from, but located on the same lot as the principal structure, the use of which is customarily incidental ancillary to the principal structure.
- 2.2 **Accessory Use** - A subordinate use located on the same lot as the principal use and customarily incidental to the main use.
- 2.3 **Apartment** - Is any rental unit consisting of two or more family dwelling units.
- 2.4 **Assisted Living** - A facility for independent, semi-independent and/or nursing care living arrangements which provides care and group housing, containing single rooms or other dwelling units which may consist of one or more bedrooms, bathing facilities, dining area, visiting and recreational facilities, or a combination thereof and which may include a health care and wellness component. Such living arrangements shall provide residents with available services ranging from housekeeping, meal preparation and service, laundry, transportation and recreation. and will include a health care and wellness component. This type of facility shall not be classed as multi-family dwellings. The terminology used in this definition is specifically for the nursing care component. It is non-applicable to any other portion of Sagamore Hills Township zoning. It is to be used only in conjunction with a nursing care component.
- 2.5 **Bar** - Premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on the premises as

accessory to the principal use.

- 2.6 **Basement** - That portion of a building which is partly or wholly below grade but so located that the average vertical distance from the finished grade to the floor is greater than the vertical distance from the finished grade to the ceiling.
- 2.7 **Bed and Breakfast Inn** - A residential building containing no more than five (5) lodging rooms for a length of no more than fourteen (14) consecutive days in any thirty (30) day period; said building is the owner's principal residence. Only breakfast to overnight guests is served.
- 2.8 **Board** - Board of Zoning Appeals.
- 2.9 **Buffer Zone** - "Buffer Zone" is an area separating residential from commercial, residential from industrial, and commercial from industrial. Such buffer zones are to be established by other than residential district users, and shall contain natural or ornamental planting.
- 2.10 **Building Area** - A building area is the aggregate of the maximum horizontal cross sections of a building on a lot, including cornices, eaves, gutters, one-story open, porch, balconies and terraces.
- 2.11 **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.
- 2.12 **Change of Use** - Any alteration in the primary use of a lot for zoning purposes.
- 2.13 **Code** - The Zoning Resolution of the Township of Sagamore Hills.
- 2.14 **Commission** – Sagamore Hills Township Zoning Commission.
- 2.15 **Conditional Use** - A use which may be permitted in specific districts subject to the compliance with certain standards and explicit conditions set forth in the Zoning Code and the granting of a conditional use permit, through approval by the Sagamore Hills Township Board of Zoning Appeals.
- 2.16 **Cul-de-Sac** - A street having only a single means of ingress and egress and having a turn-around at the end.
- 2.17 **District** - Sections or areas of the unincorporated territory of Sagamore Hills, Ohio, for which the regulations governing the use of buildings, premises, height and the area of buildings are uniform.

- 2.18 **Drive-In Service** - Service to customers while seated in their vehicles upon the premises. It shall also include any establishment where the customers may serve themselves and are permitted to consume food and beverages in a vehicle parked on the premises or at other facilities which are provided for the use of the patron for the purpose of consumption and which is located outside of the building. Establishments lacking food attendant service shall be considered "drive-in service" restaurants.
- 2.19 **Drive-Thru Service** - Service from a building to customers in vehicles through an outdoor service window or by any other means.
- 2.20 **Dwelling** - A "dwelling" is a building designed for and to be occupied exclusively for human habitation. A single family dwelling is a structure occupied by one or more people residing together as a recognized unit, and/or two or more persons occupying the same dwelling by mutual consent, the primary purpose not being solely for financial gain, as a boarding, lodging, or tourist home.
- 2.21 **Family** - One or more persons related by blood, adoption or marriage and up to two (2) unrelated individuals living and cooking together as a single housekeeping unit, but not occupying as a hotel, motel, boarding, lodging, or tourist home.
- 2.22 **Fast-Food Service** - Any establishment whose principal business is the sale of ready to consume food, for carry-out, and where such food is usually served in paper, plastic, or other disposable containers, and where the customers are not served their food by a restaurant employee at the same table or counter where the items are consumed.
- 2.23 **Fence** - A barrier of living plants or trees, wooden posts, wire, iron, stone, plastics, or any other material, solid or otherwise used as a boundary or means of protection or confinement or a screening device.
- 2.24 **Frontage or front lot line** - The "frontage" or "front lot line" is a measured distance of property on one side of a street or road.
- 2.25 **Vehicle Service Facility** - Is a building or space other than a private garage, for the storage or repair of motor vehicles, with or without ordinary maintenance service or sales of accessories and parts is permitted, but not including gasoline filling station service.
- 2.26 **Garage Sale** - All sales open to the public, conducted from or on a residential premise, for the purpose, of disposing of personal property including, but not limited to, all sales entitled garage, yard, lawn, basement, attic, porch, room, tent, backyard, patio, community sale, tag, estate or rummage.

- 2.27 **Vehicle Service Station** - A "vehicle service station" is a building or part of a building or structure or space used for the retail sale of gasoline, lubricants, and motor vehicle accessories, and for minor service and repairs not accompanied by objectionable noise, fumes or odor.
- 2.28 **Grade** - The general grade levels are defined as:
- 2.28-1 **Established Street Grade** - The "established street grade" is the roadway elevation established by construction or usage measured at the roadway centerline in the front center of the lot.
- 2.28-2 **Natural Grade** - The "natural grade" is the elevation of the undisturbed natural surface of the ground.
- 2.28-3 **Finished Grade** - The "finished grade" is the final average elevation of the surface of the ground after development.
- 2.29 **Height of Building** - The "height of a building" is the vertical distance to the highest point of the building from the "finished grade".
- 2.30 **Height of Structure** - The "height of structure" other than a building, is the vertical distance to the highest point of the structure measured from the "established street grade," if the structure is located in front of the setback building line, and from the finished grade if located on or back of the setback building line.
- 2.31 **Home Occupation** - "Home occupation" is a gainful occupation conducted wholly within the living area.
- 2.32 **Hotel, Motel, Boarding, Lodging, Tourist home** are defined as:
- 2.32-1 **Hotel** - A "hotel" is a building or part thereof operated as a public inn, and offering to the public for compensation, guest rooms without provision for cooking in any guest room.
- 2.32-2 **Motel** - A "motel" is a series of attached or semi-detached, single or multiple story dwelling units offered to the public for compensation containing bedroom, and closet space where each unit has convenient access to a parking space for use of the unit's occupants. The site of the motel shall have direct and convenient access to a public road.

2.33 **Junk Yard** - Any land used for abandonment, storage, keeping, collecting, or bailing of paper rags, scrap metals, other scrap, junk, or discarded materials. Land used for abandonment, demolition, dismantling, storage, or salvaging of automobiles or other vehicles including machinery not in running condition or parts thereof. Any automobile, truck or other vehicle which meets two (2) or more of the following three (3) conditions shall be deemed as a junk vehicle:

2.33-1 Extensively damaged, including body damage, broken windows or windshield, missing wheels, tires, motor or transmission.

2.33-2 Unlicensed.

2.33-3 Inoperable.

2.34 **Living Area** - "That area within a building provided with heating and/or cooling systems or appliances capable of maintaining, through design or heat loss/gain, 68 degrees Fahrenheit (20 degrees Celsius) during the heating season and/or 80 degrees Fahrenheit (27 degrees Celsius) during the cooling season, but nevertheless excluding attics, garages, and accessory structures."

2.35 **Lot** - The numerous uses of "lot" are defined as follows:

2.35-1 **Lot** - A "lot" is a parcel of land having frontage on a street or road.

2.35-2 **Corner lot** - A "corner lot" is a lot abutting two streets or roads at the intersection where the angle of the intersection is not more than 135 degrees.

2.35-3 **Interior lot** - An interior lot" for the purpose of this Resolution is defined to be any lot other than a corner lot.

2.35-4 **Front lot line** - The "front lot line" is the street or road line of the lot in the case of an interior lot and that street or road line designated by the owner as the front line in the case of a corner lot.

2.35-5 **Rear lot line** - The "rear lot line" is the lot line opposite the front lot line.

2.35-6 **Side lot line** - The "side lot line" is a lot line other than a front or rear lot line.

2.35-7 **Depth of a lot** - The "depth of a lot" is the distance from the middle of the front lot line to the middle of the rear lot line.

- 2.35-8        **Width of a lot** - The "width of a lot" is the width measured at both the minimum building setback line, and the street right-of-way.
- 2.35-9        **Structure measure** - All measurements shall be taken from the furthest projection of the structure.
- 2.36    **Lot Area** - The computed area contained within the lot lines.
- 2.37    **Lot of Record** - A "lot of record" is a lot which has been recorded in the office of the Recorder of Summit County.
- 2.38    **Main Building** - A "main building" is the building or space occupied by the chief use or activity on the premises.
- 2.39    **Multi-Dwelling Unit - Consists** of two (2) more family dwelling units.
- 2.40    **Non-Conforming Use** - A use lawfully existing prior to the enactment of the zoning resolution, and that is maintained after the effective date of the resolution or modification to the resolution, although it does not conform to the zoning resolution applicable to the District in which it is situated.
- 2.41    **Non-Conforming Lot** - A lot, the area, dimensions, or location of which was lawful prior to the adoption, revision, or amendment of the Resolution but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the District.
- 2.42    **Non-Conforming Structure or Building** - A structure or building, the size, dimensions or location of which was lawful prior to the adoption, revision, or amendment to the Resolution but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the District.
- 2.43    **Ohio Revised Code** - The Code (also referred to as O.R.C. in this text) which contains the laws passed by the Ohio General Assembly.
- 2.44    **Outdoor Recycling Collection Bin** - A receptacle to serve as a neighborhood drop-off point for temporary storage of recyclables.
- 2.45    **Outdoor Wood-Fired Boiler or Heater** - Outdoor wood-fired boiler (OWB) or outdoor wood-fired hydronic heater or outdoor wood heater or outdoor wood burning furnace means a fuel burning device specified by the manufacturer for outside installation and designated to heat interior building space and/or water via the

distribution, typically through pipes, of a fluid heated by the device, typically water or a water/antifreeze mixture.

- 2.46 **Parking Lot** - A "parking lot" is an open and/or covered lot or plot of ground used by the public, with or without a consideration, for or parking motor vehicles, no part of which is a public street.
- 2.47 **Playing Field** - A "playing field" is any public or privately owned area set aside for games or athletic activities.
- 2.48 **Private Garage** - A "private garage" is a building or space for storage of the occupant's motor vehicle(s).
- 2.49 **Public Right-of-Way** - All of the land included within an area which is dedicated, reserved by deed or granted by easement for street, roadway, or utility purpose as well as in certain circumstances, grade separations, landscaped areas, viaducts and bridges.
- 2.50 **Rear Yard** - A "rear yard" is the yard across the full width of the lot between the rear line of the main building and rear lot line. The depth of the rear yard is the minimum distance between those two lines.
- 2.51 **Residential Professional Office** - A "residential professional office" is an office established in a residence for the use of a practitioner of a recognized profession.
- 2.52 **Restaurant** - An establishment where the principal business is the sale of unpacked food to the public on demand in ready-to- consume individual servings, and where the food is served in and on non-disposable (reusable by the restaurant) containers by a restaurant employee to customers seated at tables or counters located (primarily) inside the restaurant building, where the customer than consumes these foods. Any provisions for takeout and delivery service of food would be incidental to the principal business. All restaurants shall have at least thirty-five percent (35%) of the gross floor area in enclosed building dining area.
- 2.53 **Roadside Stand** - A roadside stand shall mean a farm market as defined by 519.21.
- 2.54 **Rubbish Dump** - A "rubbish dump" is the premises upon which organic, inorganic, or other refuse is placed or stored.
- 2.55 **Satellite Dish Antenna** - An apparatus or structure designed, constructed or modified, for sending or receiving communication or television signals from any orbiting transmitter or transmitter relay.

- 2.56 **Setback Building Line** - A "setback building line" is the line parallel to the street or road line established as the minimum distance behind which a building may be erected.
- 2.57 **Sign** - A "sign" is any card, cloth, paper, metal, painted surface, glass, wooden, plaster, stone or other sign of any kind or character whatsoever, placed for outdoor advertising of professional purpose on the ground or any tree or anything whatsoever. The term "placed" as used in this definition shall include erecting, constructing, posting, painting, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever.
- 2.58 **Site Plan** - The development plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding development; and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.
- 2.59 **Snow Recreational Park** - A recreational facility located on property containing a minimum of fifty (50) acres, having ski slopes, ski trails and passenger tramways that are administered or operated as a single enterprise providing snow recreational activities and the sale of snow recreational activities and may provide for the sale of supplies and food products for use and or consumption within the park.
- 2.60 **Street or Road** - A "street or road" is all property dedicated for a public thoroughfare.
- 2.61 **Story** - A "story" is the portion of a building included between the surface of a floor and the ceiling above it. A "basement or cellar" construction shall not be deemed to be a story, or half-story.
- 2.62 **Structure** -A "structure" is anything constructed, erected, or placed, the use of which requires location on the ground or connection to the ground, and may include supports and a pervious and impervious roof, including advertising signs either on or off wheels, skids, or billboards, mounds of dirt greater than five (5) feet in height or man-made depressions greater than five (5) feet in depth.
- 2.63 **Structural Alteration** - A "structural alteration" is any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any increase in the area of cubical contents of the building.
- 2.64 **Tavern** - An establishment used primarily for the serving of liquor by the drink to the



general public and where food or packaged liquors may be served or sold only as accessory to the primary use.

- 2.65 **Telecommunications** - Technology permitting the passage of information from the sender to one or more receivers in a usable form by means of any electromagnetic system.
- 2.66 **Trailer Camp** - A "trailer camp" is a tract or parcel of land upon which camp cottages, or spaces are provided for temporary accommodation to place automobile trailers, campers, mobile homes, tents, and house cars for human habitation.
- 2.67 **Trustee** - The "Trustees" of Sagamore Hills Township are a board of three (3) members elected or appointed to govern and carry on the business of the Township of Sagamore Hills.
- 2.68 **Use** - The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.
- 2.69 **Variance** - A modification of the Zoning Code permitted in an instance where a literal application of the Zoning Code would result in unnecessary hardships as a result of some peculiar or unique condition or circumstance with procedures and standards set forth in the Zoning Resolutions.
- 2.70 **Veterinary, Animal Hospital or Clinic** - A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for treatment, observation and/or recuperation.
- 2.71 **Wireless Communication Site** - The plot of land upon which the tower structure and equipment building are secured.
- 2.72 **Wireless Communication Site Collocation** - Sharing of structures by several Wireless Service Providers.
- 2.73 **Wireless Telecommunications Antenna** - An antenna designed to transmit or receive communications as authorized by the Federal Communications Commission excluding amateur radio operators' antenna.
- 2.74 **Wireless Telecommunications Equipment Building**: The structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.
- 2.75 **Wireless Telecommunications 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.

2.76 **Wireless Telecommunications Tower** - A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopole, guyed and lattice construction of steel structures.

2.77 **Yard** - The various uses of "yard" are defined as:

2.77-1 **Yard** - An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in the ordinance is unoccupied and unobstructed from the ground upward except as may be specifically provided in the zoning ordinance and shall include front yard, side yard and rear yard.

2.77-2 **Front yard** - A "front yard" is the yard across the full width of the lot extending from the main building to the street or lot line.

2.77-3 **Side yard** - A "side yard" is the yard between the main building line and the side lot line, and extending from the front yard to the rear yard.

2.77-4 **Rear Yard** - A "rear yard" is the yard extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular to the building to the closest point of the rear lot line.

2.78 **Zoning Map** - The "Zoning District Map of Sagamore Hills Township, Summit County, Ohio".

2.79 **Zoning Officer** - The administrative officer designated to administer the zoning ordinance and issue zoning permits.