

ARTICLE 2

**CONSTRUCTION OF
LANGUAGE AND DEFINITIONS**

SECTION 201

CONSTRUCTION OF LANGUAGE: For the purpose of this Resolution; certain terms or words shall be interpreted as follows:

- 201.1 Words used in the singular shall include the plural, and the plural the singular;
- 201.2 Words used in the present tense shall include the future tense;
- 201.3 The word "shall" is mandatory and not discretionary;
- 201.4 The word "may" is permissive;
- 201.5 The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for;"
- 201.6 The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as, an individual; and
- 201.7 The word "dwelling" includes the word "residence."

SECTION 202

DEFINITIONS: All words used in this Resolution shall have their customary meanings as defined in *Webster's New World Dictionary*, except those specifically defined in this Section:

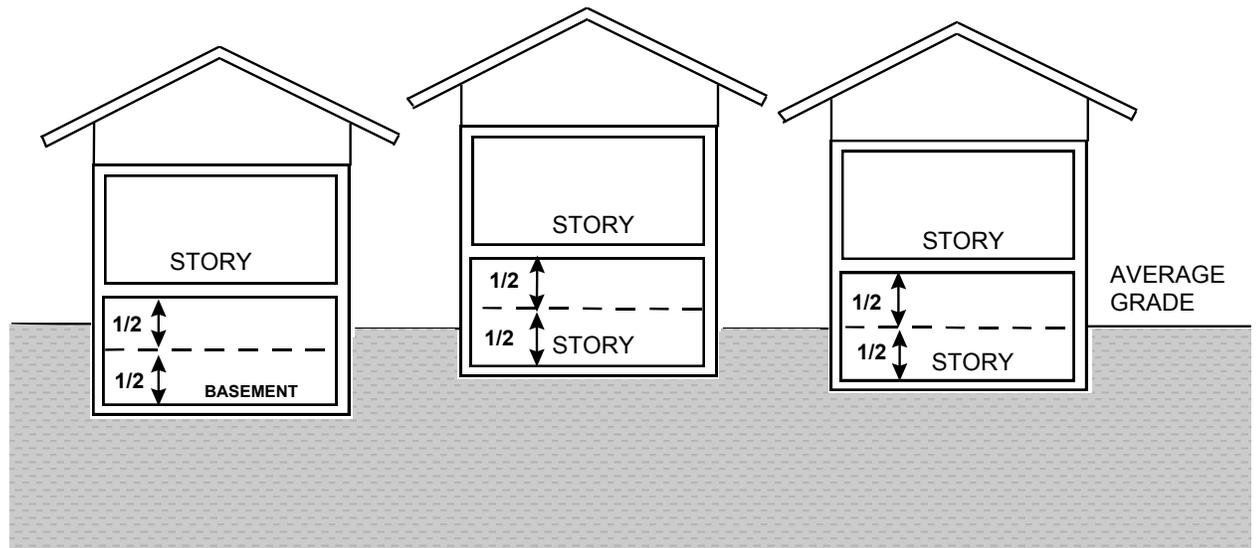
- 202.001 Accessory Use or Structure: A use or structure incidental and subordinate to the principal use or structure on the lot and serving a purpose customarily incidental and subordinate to the use of the principal building.
- 202.002 Agribusiness: Manufacturing warehousing, storage, and related industrial and commercial activities that provide services for or are dependent upon agricultural activities found within the Agricultural District, and are not necessarily suited to locations within an established community. Agribusiness's include, but are not limited to the following uses: fertilizer production, sales, storage, and blending; sales and servicing of farm implements and related equipment; preparations and sale of feeds for animals and fowl; seed sales; poultry hatchery services; corn shelling, hay baling, and threshing services; grain elevators and bulk storage of feed grains; horticultural services; veterinary services; agricultural produce milling and processing; feed lots; livestock auctions; and retail nurseries.

- 202.003 Agriculture: The use of a tract of land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce, provided, however, that:
- a. The operation of any such accessory use defined above shall be secondary to that of normal agricultural activities;
 - b. The above uses shall not include the feeding of garbage or offal to swine or other animals;
 - c. The above uses shall not include the feeding or sheltering of animals or poultry in penned enclosures within one hundred (100) feet of any residential zoning district;
 - d. The above uses shall not include the operation or maintenance of a feed lot or a commercial stockyard.
- 202.004 Airport, Commercial: Any runway, landing strip, or other facility designed or used by any person for the landing and takeoff by the public for commercial purposes, and may also include services such as fuel sales, storage, repair services, and aircraft sales.
- 202.005 Airport, Private: Any runway, landing strip, or other facility designed or used by any person for the landing, take-off, and storage of aircraft on his own property principally for his own use.
- 202.006 Alterations: Any change in the supporting members (bearing walls, beams, columns, girders, etc.) of a building or structure; or movement of a building or structure from one location to another.
- 202.007 Automobile Service Station: A building, lot, or both, having pumps and underground storage tanks at which fuels, oils, or accessories for the use of motor vehicles are dispensed, sold, or offered for retail sale, and where mechanical repair service may be incidental to the dispensing of such items. The storage of junk or inoperable vehicles shall not be included in this definition.
- 202.008 Automobile Repair Station: A building, lot, or both in or upon which the business of general motor vehicle repair and service is conducted, to include engine rebuilding, rebuilding or reconditioning of motor vehicles, body repair, and painting and undercoating of automobiles, but excluding a junk yard as defined in this Section.

202.009 Automobile Sales or Rental: A building, lot, or both used for the display, sale, or rental of new used motor vehicles in operable condition and where repair service is incidental.

202.010 Barn: An accessory structure upon a lot customarily used for the housing of livestock and for the storage of crops and/or machinery used in bonafide agricultural activities as previously defined in this section.

202.011 Basement: Floor space in a building partially or wholly underground, but having more than one-half (1/2) of its clear floor-to-ceiling height below the average grade of the adjoining ground. A basement shall be counted as a story if it does not meet the definition above or is subdivided and used for dwelling or business purposes by other than a janitor employed on the premises. (See Illustration)



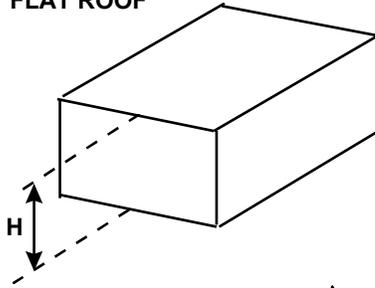
202.012 Bed and Breakfast: A single family dwelling unit in which the principal use is the permanent residential quarters of the resident owner, and in which bedrooms in the principal structure are made available for transient occupancy for a fee. Such occupancy shall be generally less than seven (7) consecutive days per person in a thirty (30) day period, and occupied by no more than four (4) guests, with breakfast bind served upon the premises as part of the accommodations.

202.013 Beginning of Construction: The beginning of construction is the incorporation of labor and material within the walls of a building or buildings; the incorporation of labor and materials at the site, lot, or parcel where a building is to be constructed; and for the

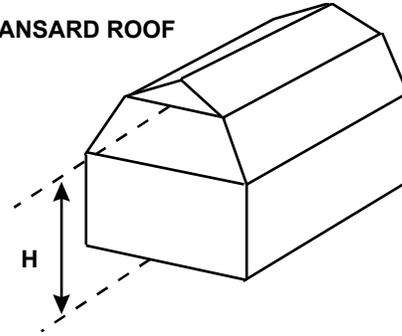
incorporation of labor and material where land is to be used for purposes other than construction of a building.

- 202.014 Billboard: See Sign.
- 202.015 Block: A tract of land bounded by streets, a combination of streets, railroad right-of-way, unsubdivided acreage, river or live stream, or any other barrier to the continuity of development, including corporation lines.
- 202.016 Board of Zoning Appeals: The Board of Zoning Appeals of Spring Valley Township Greene County, Ohio.
- 202.017 Boarding House: Any building, originally designed for and used as a single-family dwelling or part thereof, where rooms for lodging, with or without meals are provided for compensation for five (5) or less persons who are not members of the keeper's family. A boarding house which is operated for more than five (5) persons shall be deemed to be a motel or hotel as defined in this Section.
- 202.018 Boat, Sales, Repair, and/or Storage: A business office and lot facility for the express purpose of selling new and/or used boats and which may include a shop for repair and/or building and/or fenced lot area for storage of boats. Such use is conditional meaning Board of Zoning Appeals is required before permitting.
- 202.019 Buffer Area: That portion of a lot set aside for open space and visual screening purposes, pursuant to applicable provisions of this Resolution, to separate or screen different use districts and/or uses on one property from uses on another property.
- 202.020 Building: Any structure having a roof supported by poles, columns, or by walls which is designed for the shelter, support, or enclosure of persons, animals, chattels, or property of any kind.
- 202.021 Building Height: The vertical distance from the average elevation of the finished grade at the front of the building to (a) the highest point of a flat roof; (b) the deck line of a mansard roof; (c) the average height between the eaves and ridge for gable, hip, and gambrel roofs; or (d) the average height between high and low points for a shed roof. (See Illustration)

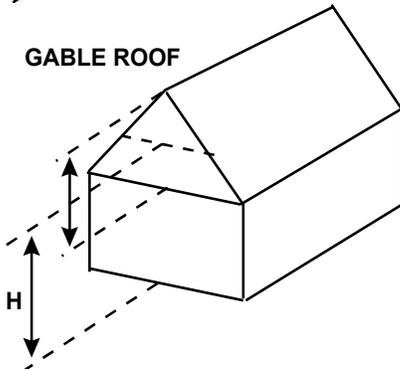
FLAT ROOF



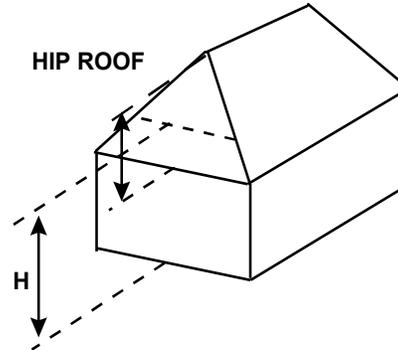
MANSARD ROOF



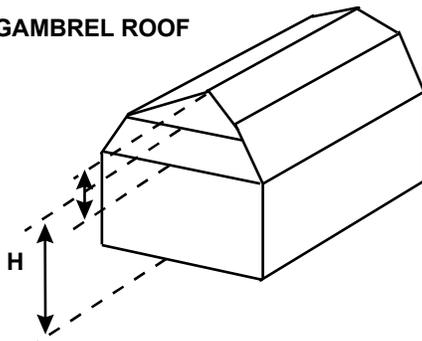
GABLE ROOF



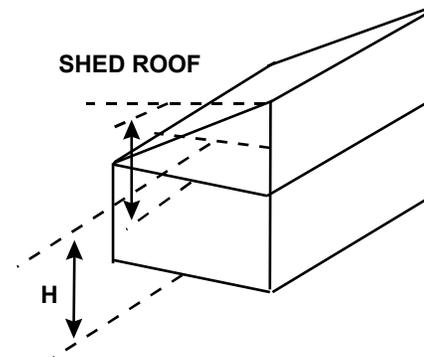
HIP ROOF



GAMBREL ROOF



SHED ROOF



202.022 Cemetery: Land used or intended to be used for the burial of animal or human dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

202.023 Clinic: A place used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

202.024 Club: A premises owned or operated by a person or persons for a civic, social, cultural, religious, literary, political, recreational, or like activity, but not primarily for profit or to render a service which is customarily carried on as a business.

202.025 Commercial Recreational Facilities, Indoor: Any commercial activity conducted primarily indoors which is related to the recreation field, such as bowling alleys, skating rinks, indoor tennis courts, indoor motion picture theaters, and similar recreational activities.

202.026 Commercial Recreational Facilities, Outdoor: Any commercial activity conducted primarily outside of a building which is related to the recreation field, such as drive-in theaters, community swimming pools, miniature golf, driving ranges, skiing facilities, country clubs, and similar activities.

202.027 Community-Based Residential Social Service Facilities: Facilities providing resident services for the care and/or rehabilitation of groups of individuals who require protective supervision within a residential environment, including the following five (5) types of facilities:

- a. Foster Homes: A private residence providing resident services and protective supervision for the care and/or rehabilitation of one (1) child, adolescent, or adult within a home environment, all under the regulation of the appropriate social service agency having authority under law to license the operation.
- b. Family Care Home: A residential facility which is operated by private citizens or a social service agency to provide room and board, personal care, habilitation services, and supervision in a family setting for not more than eight (8) persons with developmental disabilities. A developmental disability shall be defined as a disability that originated before the attainment of eighteen (18) years of age and can be expected to continue indefinitely, constitutes a substantial handicap to the person's ability to function normally in society, and is attributable to mental retardation, cerebral palsy, epilepsy, autism, or any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior or requires similar treatment and services. All family care homes shall possess a license from the appropriate state or local agencies having authority under law to license the operation.
- c. Group Care Home: A residential facility which is operated by private citizens or a social service agency to provide room and board, personal care, habilitation services, and supervision in a family setting for more than eight (8) but not more than sixteen

(16) persons with developmental. A developmental disability shall be defined as a disability that originated before the attainment of eighteen (18) years of age and can be expected to continue indefinitely, constitutes a substantial handicap to the person's ability to function normally in society, and is attributable to mental retardation, cerebral palsy, epilepsy, autism, or any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior or requires similar treatment and services. All group care homes shall possess a license from the appropriate state or local agencies having authority under law to license the operation .

- d. Home for Adjustment: A residential facility operated by a court, a social service agency, or private citizens which provides therapy, counseling, and a residential environment for eight (8) or less adolescents or adults for the following purposes: 1) to assist them in recuperation from the effects of drugs or alcohol; 2) to assist them in adjusting to living with the handicaps or emotional or mental disorder in lieu of or subsequent to confinement within an institution; or 3) to provide housing and a supervised living arrangement in lieu of or subsequent to placement within a correctional institution. The residents of any home for adjustment shall be limited to those individuals who will not pose a threat to life or property within the community, as determined by the responsible court or social service agency. All homes for adjustment shall possess a license from the appropriate court, or state or local agency having authority under law to license the operation .
- e. Institution: A facility such as a hospital, a nursing home, rest home, or a correctional facility. An institution shall also be defined as any residential facility designed or used for more than sixteen (16) persons functioning under the purposes of a family care home or a group care home, or any residential facility designed or used for more than eight (8) persons under the purposes of a home for adjustment. All institutions shall possess a license from the appropriate state or local agency having authority under law to license the operation and may be operated by private citizens, a social service agency, or a governmental authority.

202.028 Common Areas: As used herein, parcels of land, together with the improvements thereon, the use and enjoyment of which shall be

shared by the owners and occupants of the individual building sites within a development.

- 202.029 Comprehensive Plan: Perspectives: A Future Land Use Plan for Greene County, as adopted by the Board of County Commissioners of Greene County. This plan establishes the goals, objectives, and policies of Spring Valley Township as well as showing the general facilities including housing, industrial, and commercial uses, major streets, parks, and other community facilities.
- 202.030 Conditional Use: A use permitted within a district other than a permitted principal use, requiring a conditional use permit and approval of the Board of Zoning Appeals. These uses are permitted only after the applicant has followed the procedures outlined in Article 10, Section 1002.
- 202.031 Conditional Use Permit: A permit issued by the Board of Zoning Appeals to allow certain specific developments that would not otherwise be allowed in a particular zoning district. These permits are issued only after the applicant has followed the procedures as stated in Article 10, Section 1002 of this Regulation. Development under a Conditional Use Permit differs from a zoning change in that it is such more specific. The applicant submits plans and conditions exactly or reapplies for a permit before deviating from that plan.
- 202.032 Contract Construction Services: Personal and/or professional service businesses engaged in providing construction services in the form of excavating, concrete work, paving electrical, plumbing, carpentry, roofing, etc. contracting and which operate from a centralized office and/or shop location which may include outside storage and maintenance of equipment and related materials.
- 202.033 Court: An open space which may or may not have direct street access and which is bounded on two or more sides by a single building or a group of related buildings. A court is not a yard.
- 202.034 Corner Lot: See Lot Types.
- 202.035 Density: A unit of measurement designating the number of dwelling units per acre of land as follows:
- a. Gross Density: The number of dwelling units per acre of the total land to be developed.
 - b. Net Density: The number of dwelling units per acre of land when the acreage involved includes only the land devoted to

residential uses and excludes areas such as street right-of-way, parks, and other similar uses.

- 202.036 District: A portion of the incorporated area of the Township, within which certain regulations and requirements, or various combinations thereof, apply uniformly under the provisions of this Resolution.
- 202.037 Drive-In: A business or other establishment so developed that its retail or service character is dependent on providing a driveway approach and/or waiting spaces for motor vehicles so as to service patrons while in the motor vehicle.
- 202.038 Dwelling Unit: One or more rooms designed for or used as a unit to provide complete housekeeping facilities for one (1) individual family with sleeping facilities, permanently installed cooking facilities, and lawfully required sanitary facilities. This definition shall include "modular homes" as defined in this Resolution.
- 202.039 Dwelling, Single -Family: A building consisting of one single dwelling unit on a individual lot, separated from other dwelling units by open space.
- 202.040 Dwelling, Two Family: A building consisting of two dwelling units, including condominiums, which may be either attached side-by-side or one above the other. Each unit shall have a separate entrance.
- 202.041 Dwelling, Multiple-Family: A building consisting of three or more dwelling units, including condominiums, townhouses, quadruples, and garden apartments with varying arrangements of entrances and party walls.
- 202.042 Easement: Authorization by a property owner for use by another for a specified purpose, of any designated part of his property.
- 202.043 Erection: The acts of building, constructing, altering, reconstructing, moving upon, or any physical operations on the premises which are required for construction. Excavation, fill, drainage, and the like shall be considered a part of erection.
- 202.044 Essential Services: The erection, construction reconstruction, change, alteration, maintenance, removal or, use of any underground or overhead equipment including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, signals, hydrants, or other similar accessories by any public utility or governmental agency for the purpose of furnishing adequate

supply, transmission, distribution, collection, or disposal of gas, electric, water, steam, or communication service to the public in order to maintain the public health, safety, and welfare, but not including buildings.

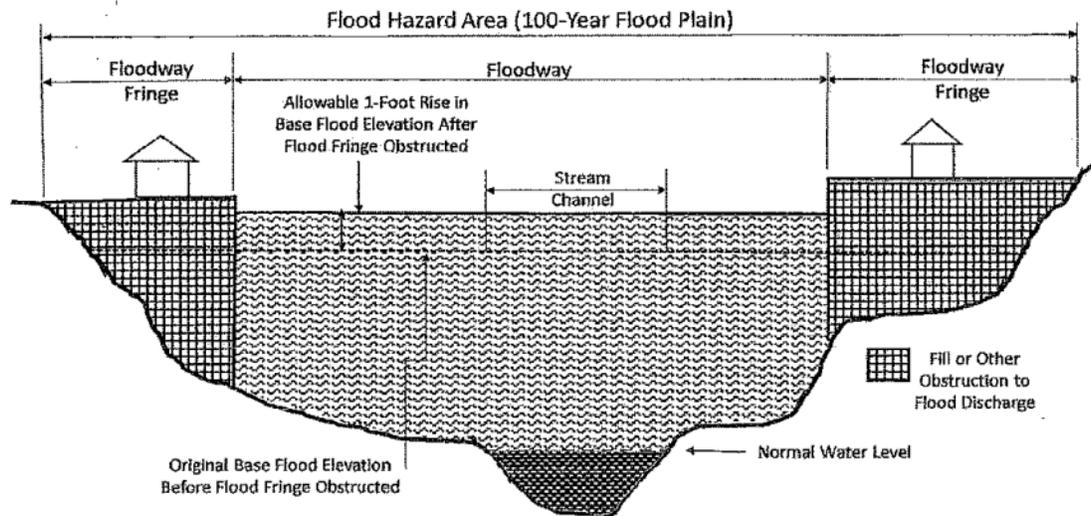
- 202.045 Excavation: The act of digging, hollowing out, or any other breaking of ground resulting in a total quantity of more than one hundred (100) cubic yards of material or a vertical depth of more than four (4) feet. Common household gardening and ground care, or plowing of ground for agricultural purposes, shall be excepted from this definition.
- 202.046 Family: An individual; two or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit, or a group of individuals, who need not be related, living together as a single housekeeping unit in a dwelling unit, provided that a ratio of two persons or less per bedroom within the dwelling unit be maintained.
- 202.047 Farm: All of the contiguous, neighboring, or associated land operated as a single unit by the owner-operator himself, his family, or hired employees on which bonafide agriculture is conducted as the primary use, as indicated tax rates.
- 202.048 Feed Lot: Land used for the confining and commercial feeding of livestock for mass production and marketing, and not necessarily connected with any general farming upon the same lot. All feed lots shall obtain appropriate permits for waste treatment and disposal from the Ohio Environmental Protection Agency prior to the issuance of a Zoning Permit.
- 202.049 Fence: Any free-standing structure, other than part of a building, which encloses or partially encloses any premises and is of sufficient strength and dimensions to prevent straying from within or intrusion from without. Live vegetation shall not be included in this definition.
- 202.050 Fill: Soil, rock, earth, sand, gravel, or any other material exceeding a total of one hundred (100) cubic yards or more than four (4) feet in vertical height at its deepest point which may be deposited or placed onto or into the ground.
- 202.051 Filling: The act of depositing or dumping fill onto or into the ground, except common household gardening and ground care.

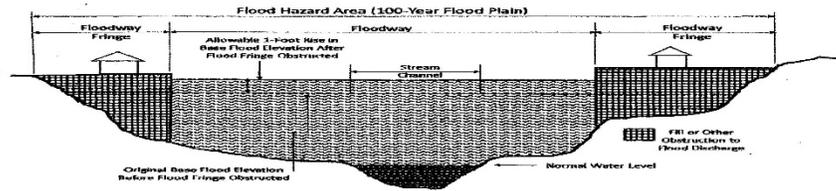
202.052 Flood, 100-Year: The temporary inundation of normally dry land areas by a flood that is likely to occur once every 100 years (i.e., that has a one percent (1%) chance of occurring each year, although the flood may occur in any year).

202.053 Flood Plain, Regulatory: That land area of Spring Valley Township which is subject to inundation by the 100-year flood as determined by the *Flood Insurance Study: Unincorporated Areas of Greene County, Ohio* prepared by the Federal Emergency Management Agency. (See Illustration).

202.055 Floodway: That portion of the regulatory flood plain which is required to carry and discharge the flood waters of the 100-year flood without obstruction as designated in the *Flood Insurance Study: Unincorporated Areas of Greene County, Ohio* (See Illustration).

202.054 Floodway Fringe: That portion of the regulatory flood plain which serves primarily as a storage area for the flood waters of the 100-year flood as designated in the *Flood Insurance Study: Unincorporated Areas of Greene County, Ohio* (See Illustration).

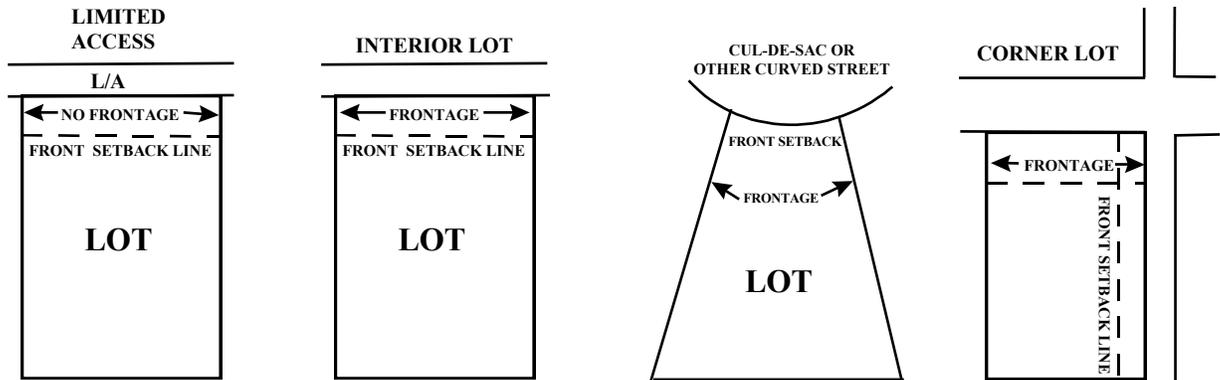




202.055 Floor Area, Non-Residential: The sum of the gross horizontal area of all the floors of a non-residential building measured from the interior faces of the interior walls, excluding stairs, washrooms, elevator shafts, maintenance shafts, and similar areas.

202.056 Floor Area, Residential: The sum of the horizontal area of all floors of a residential building measured from the interior faces of the exterior walls. Floor area shall not include breezeways, carports, garages, storage areas with only outside access, porches, unfinished attics or other unheated and/or unfinished areas attached to the dwelling.

202.057 Frontage: The distance between the side lot lines measured along the continuous required front setback line; and (2) in the case of a corner lot where frontage shall be measured along the continuous shortest front lot line. Property lines which abut limited access roads shall not be construed to be included within any calculation of frontage. (See Illustration)



202.058 Garage, Private: A detached accessory building or a portion of a main building, intended for the parking or storage of automobiles, recreational vehicles, or boats of the occupants of the premises.

202.059 Garage Public: A principal or accessory building other than a private garage, intended for the parking or storage of automobiles, recreational vehicles, boats, or other vehicles.

202.060 Glare: Excessively bright illumination.

202.061 Grade, Average: The average elevation of the finished surface of the ground at the exterior walls of a building or structure.

202.062 Home Occupation: An occupation conducted by a person on the same premises as his principal place of residence and is clearly subordinate and incidental to its use for residential purposes.

202.063 Hotel: A building in which lodging or boarding is offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, which is herein separately defined.

202.064 Junk or Inoperable Vehicle: A vehicle shall be deemed a junk or inoperable vehicle whenever any two or more of the following occur for a period of two weeks prior to the filing of a cease and desist order:

- a. The vehicle is without a valid, current registration and/or license plate;
- b. The vehicle is apparently inoperable;
- c. The vehicle is without fully inflated tires and/or has any type of support under it;

- d. The vehicle has a missing or shattered window or windshield and/or;
- e. The vehicle has an extensively damaged or missing door, motor, transmission, or other similar major part.

202.065 Junk Yard (Salvage Yard): Any use primarily involved with buying, selling, exchanging, storing, baling, packing, disassembling, or handling of waste or scrap materials, including but not limited to vehicles, machinery, and equipment not in operable condition or parts thereof, and furniture, building materials, metals, paper, rags, rubber tires, and bottles. Such operations conducted entirely within completely enclosed buildings shall not be considered a Junk Yard. Two (2) or more junk or inoperative vehicles on a lot shall be considered a Junk Yard.

202.066 Kennel Any lot or premises on which four (4) or domesticated animals more than six (6) months of age are bred, boarded, trained, or sold.

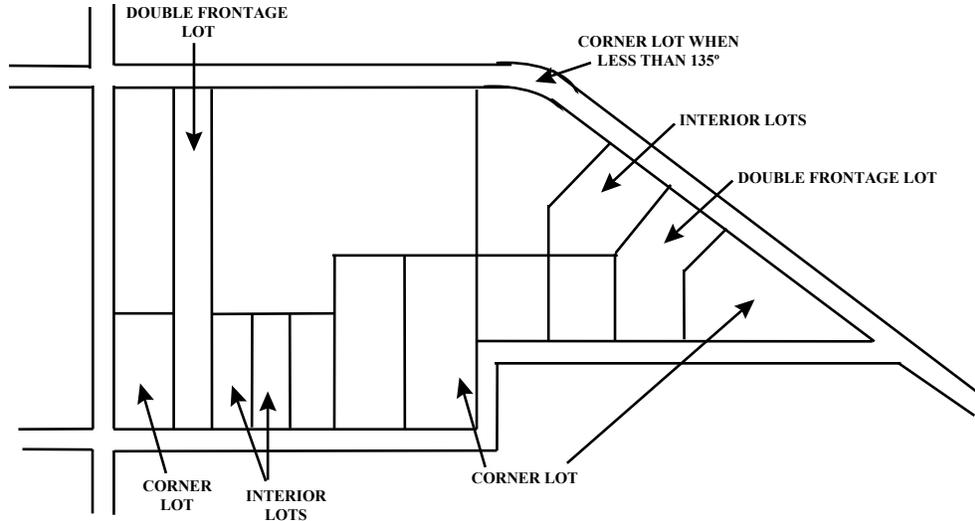
202.067 Loading Space Off-Street: A space or berth located totally outside of any street or alley right-of-way for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

202.068 Location Map: See Vicinity Map

202.069 Lot: A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and its accessory buildings and uses, including such open spaces as are required under the provisions of this Resolution. Every lot shall have the minimum required frontage upon a public street.

- a. Corner Lot: A lot abutting upon two (2) or more streets at their intersection, or upon two parts of the same street, in either case forming an interior angle of one hundred thirty-five (135) degrees or less as measured at the center-line of the road or the interior right-of-way line as applicable. (See Illustration)
- b. Interior Lot: A lot other than a corner lot, with only one frontage on a public street. (See Illustration)

c. Double Frontage Lot: A lot having frontage on two (2) non-intersecting streets or two approximately perpendicular portions of the same street. (See Illustration)



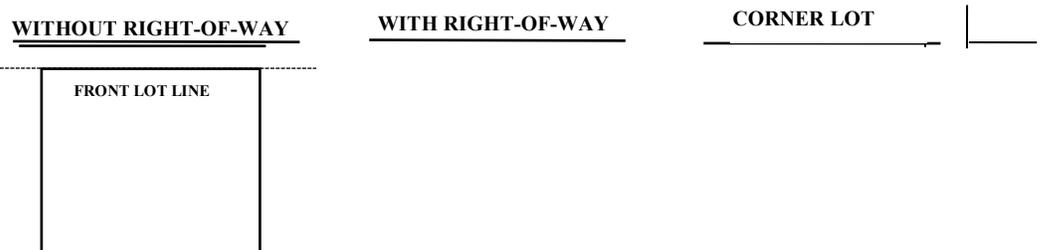
202.070 Lot Coverage: That percentage of the lot area which, when viewed directly from above, would be covered by the principal and accessory structure or structures, or any part thereof, excluding projecting roof eaves of less than twenty-four (24) inches.

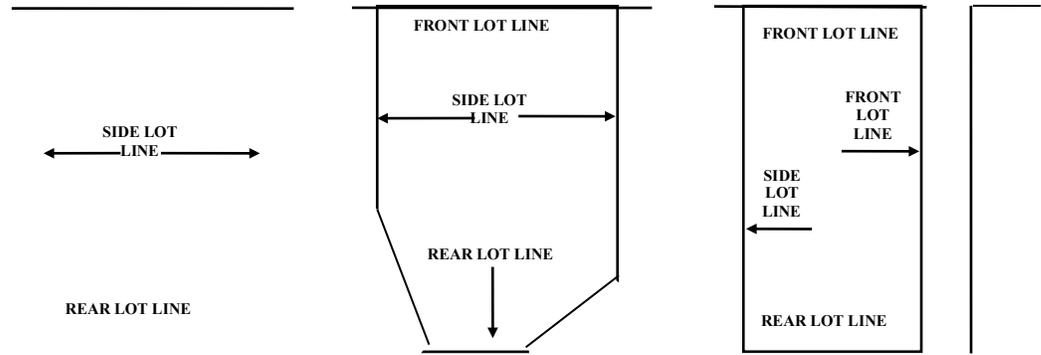
202.071 Lot Lines: Lines bounding the lot as shown in the accepted plat or survey record. (See Illustration)

a. Front Lot Line: A lot line which either Falls along a street right-of-way line or falls approximately along the center of a road, frontage the boundary of a lot. On a corner, lot lines along both streets shall be considered front lot lines.

b. Rear Lot Line: The lot line that is most distant from, and most nearly parallel to, the front lot line. If a rear lot line is less than fifteen (15) feet long, or if the lot comes to a point, the rear lot line shall be a line at least fifteen (15) feet long, lying wholly within the lot, parallel to, and a maximum distance from the front lot line. In the case of a corner lot, the rear lot line shall be the lot line opposite the shortest front lot line.

c. Side Lot Line: Any lot line which is neither a front lot line nor a rear lot line.





202.072 Lot Width: See Frontage.

202.073 Lot of Record: A lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Greene County; or a parcel of land, the deed or land contract to which was of record as the effective date of this Resolution or any appropriate amendment thereto.

202.074 Manufacturing, Heavy: Fabrication, altering, converting, assembling, storing, testing, and similar industrial uses which are generally major operations, extensive in character and require large sites, large open storage and service areas, extensive accessory facilities, and ready access to regional transportation. Heavy manufacturing uses may normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, industrial traffic and water pollution.

202.075 Manufacturing, Light: Manufacturing or other industrial uses which are usually controlled operations and normally do not require large sites. Such uses are normally relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, vibration, odor, water pollution, glare, air pollution, dust. Light manufacturing uses normally operate and store material within enclosed structures, and generate little industrial traffic or other nuisance.

202.076 Mineral Processing: Any operation, including accessory buildings, roads, or structures involving the excavation, mining, quarrying, storage, separation, cleaning and/or processing of clay, sand, gravel, limestone, shale, or other mineral resource. Such operation shall include of the land or property that is used or owned in reserve by the person, firm or corporation involved in such operation. Mineral extraction is an interim land use and such operations shall possess a plan for ultimate use of the property.

- 202.077 Mobile Home: A manufactured relocatable residential unit providing complete, independent living facilities for one family including permanent provisions for living, sleeping, eating, cooking, and sanitation, and the design and construction of which meets the standards and specifications of the United States Department of Housing and Urban Development. A mobile home is not included within the definition of "Modular Home" and the removal of running gear shall not exempt a mobile home from this definition.
- 202.078 Mobile Home Park: Any lot upon which two or more mobile homes are located for residential use, either free of charge or for revenue purposes. A mobile home park shall include structure, vehicle, or enclosure used or intended for use as part of the facilities of such park.
- 202.079 Modular Home: A factory-fabricated, transportable building consisting of two or more units designed to be assembled into a permanent structure at a building site on a permanent foundation, used for residential purposes by one family, and is built to meet the standards and specifications of the Industrial Unit Standards of the Ohio Building Code.
- 202.080 Motel: A building or group of buildings in which lodging is provided and offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding or lodging house, or a multiple dwelling. A motel shall be distinguished from a hotel in that the building is usually designed to serve tourists traveling by automobile, entrance and exit to rooms need not be through lobby or office, and parking is usually adjacent to the unit.
- 202.081 Non-Conforming Building or Structure: A building or structure lawfully existing at the time of enactment of this Resolution or subsequent amendments, which does not conform to the regulations of the district in which it is situated or other applicable provisions of this Resolution.
- 202.082 Non-Conforming Lot: A lot existing at the time of enactment of this Resolution or any subsequent amendments which does not conform to the lot area and frontage requirements of the district in which it is located.
- 202.083 Non-Conforming Use: A use of land lawfully existing at the time of enactment of this Resolution or subsequent amendments, which does not conform to the regulations of the district in which it is situated or other applicable provisions of this Resolution.

- 202.084 Nursery Child Care: A building used for the commercial care of five (5) or more children who are not members or wards of the owner of his immediate family. All child care nurseries shall possess an appropriate license from the Ohio Department of Human Services as required.
- 202.085 Nursery, Retail: Land, buildings, structures, or a combination thereof, for the storage of live trees, shrubs, or plants offered for retail sale on the premises, including products used for gardening or landscaping.
- 202.086 Official Thoroughfare Plan: The Official Thoroughfare Plan for Greene County, Ohio, establishing the official right-of-way width of major streets on file in the office of the Recorder of Greene County, Ohio, and in the office of the Regional Planning and Coordinating Commission of Greene County, Ohio, together with all amendments thereto subsequently adopted.
- 202.087 Open Space: An area open and unobstructed to the sky which may be on the same lot with a building. The area may include natural environmental features, water areas, swimming pools, tennis courts, and other recreational facilities that the Zoning Commission, Board of Zoning Appeals, or Township Trustees, whichever is applicable, deems permissible. Streets, parking areas, structures for habitation, and the like shall not be included .
- 202.088 Open Storage: Storing or keeping of chattel not enclosed in a building.
- 202.089 Parking Space, Off-Street: A space located totally outside of any street or alley right-of-way for the parking of an automobile or other vehicle.
- 202.090 Prime Agricultural Soils: Prime agriculture soils are those soils within Spring Valley Township which display characteristics well-suited to agricultural activities such as field crops under normal or typical management practices . It has been determined through studies that the following soil types, as described in the Soil Survey of Greene County, Ohio, are prime agricultural soils:

Ag	Algiers Silt Loam	OcA	Ockley Silt Loam (0 to 2 percent slopes)
BbB	Birkbeck Silt Loam (1 to 4 percent slopes)	OcB	Ockley Silt Loam (2 to 6 percent slopes)
Bs	Brookston Silty Clay Loam	OcB2	Ockley Silt Loam
Bt	Brookston - Urban Land Complex		(2 to 6 percent slopes, moderately eroded)
CeA	Celina Silt Loam (0 to 2 percent slopes)	OdB	Ockley Urban Land Complex (undulating)
CeB	Celina Silt Loam (2 to 6 percent slopes)	OeB	Odell Silt Loam (2 to 6 percent slopes)
CrA	Crosby Silt Loam (0 to 2 percent slopes)	Pa	Patton Silty Clay Loam
CrB	Crosby Silt Loam (2 to 6 percent slopes)	Ra	Ragsdale Silty Clay Loam

EdB	Edenton Silt Loam (2 to 6 percent slopes)	RdA	Raub Silt Loam (0 to 2 percent slopes)
Ee	Eel Loam	RdB	Raub Silt Loam (2 to 6 percent slopes)
EmA	Eldean Silt Loam (0 to 2 percent slopes)	ReA	Reesville Silt Loam (0 to 2 percent slopes)
EmB	Eldean Silt Loam (2 to 6 percent slopes)	Rs	Ross Loam
EmB2	Eldean Silt Loam (2 to 6 percent slopes, moderately eroded)	RtA	Rush Silt Loam (0 to 2 percent slopes)
FnA	Fincastle Silt Loam (0 to 2 percent slopes)	RtB	Rush Silt Loam (2 to 6 percent slopes)
Gn	Genesse Loam	RuA	Russell Silt Loam (0 to 2 percent slopes)
Ln	Linwood Muck	RvB	Russell-Miamian Silt Loams (2 to 6 percent slopes)
MhA	Miamian Silt Loam (0 to 2 percent slopes)	RvB2	Russell-Miamian Silt Loams (2 to 6 percent slopes, moderately slopes)
MhB	Miamian Silt Loam (2 to 6 percent slopes)	SIA	Sleeth Silt Loam (0 to 2 percent slopes)
MhB2	Miamian Silt Loam (2 to 6 percent slopes, moderately eroded)	ThA	Thackery Silt Loam (0 to 2 percent slopes)
MoB2	Miamian-Eldean Silt Loams (2 to 6 percent slopes, moderately eroded)	ThB	Thackery Silt Loam (2 to 6 percent slopes)
MrB	Miamian Urban Land Complex (Undulating)	WaA	Warsaw Loam (0 to 2 percent slopes)
MtA	Milton Silt Loam (0 to 2 percent slopes)	WeB	Wea Silt Loam (1 to 3 percent slopes)
MtB	Milton Silt Loam (2 to 6 percent slopes)	Ws	Westland Silty Clay Loam
		XeA	Xenia Silt Loam (0 to 2 percent slopes)
		XeB	Xenia Silt Loam (2 to 6 percent slopes)

The physical distribution of these soils within Spring Valley Township, is noted on the Prime Agricultural Soils Map which is incorporated into this Resolution as a guide in considering zoning district amendments, variances appeals, conditional use permits, and other administrative actions.

202.091 Principal Building: A non-agricultural building in which is conducted the main or principal use of the lot on which said building is located; ordinarily the largest building on the lot, and ordinarily the use conducted on the first story of such building above the basement.

202.092 Principal Use: The main use to which the premises are devoted and the main purpose for which the premises exist.

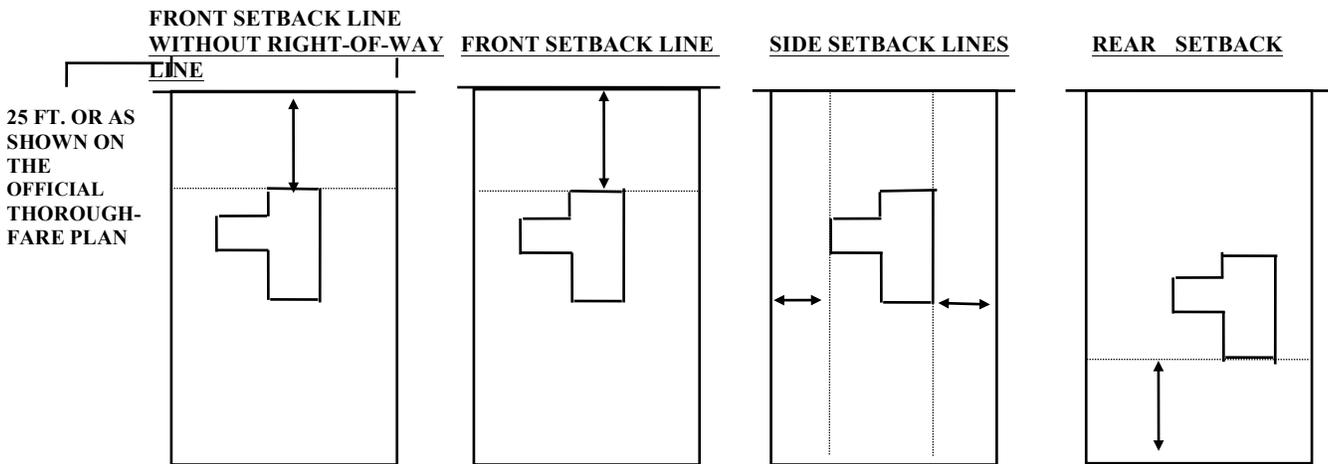
202.093 Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, land, parkway, right-of-way, road, sidewalk, street, tunnel, viaduct, walk, or other way in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

202.094 Recreational Vehicle: Any motor vehicle, or any other vehicle less than thirty-five (35) feet in length, designed or intended to be used primarily for short term dwelling or sleeping purposes away from the place of residence of the occupants; and not constituting the principal place of residence of the occupants.

202.095 Research Activities: Research, development and testing related to such fields as chemical, pharmaceutical, medical electrical, transportation, and engineering. All research, testing, and development shall be carried on within entirely enclosed buildings, and no noise, smoke, glare, vibration, or odor shall be detected outside such building.

- 202.096 Restaurant, Carry-Out: An establishment whose primary function is the offering of food and beverage which are sold only inside the building and are usually packaged to be carried and consumed off of the premises, but may be consumed within the restaurant building or on the premises.
- 202.097 Restaurant, drive-in: An establishment offering food and beverages which are sold within the building, or to persons while in motor vehicles in an area designated for drive-in service, and may be consumed on or off the premises.
- 202.098 Restaurant, sit-down: An establishment whose primary function is the offering of food and beverages which are sold and normally consumed within the restaurant building.
- 202.099 Retail: Sale to the ultimate consumer for direct consumption and/or use and not for resale.
- 202.100 Riding Academies: Facilities designed or used for the renting of horses and/or the instruction of horse riding, including any barns, exercise areas, and field areas to be used in the operation.
- 202.101 Right of Way: A strip land purchased or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.
- 202.102 Seat: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or space for loose chairs.
- 202.103 Screening: Structures, fences, or vegetation maintained for the purpose of concealing the area behind such structures or vegetation from view.
- 202.104 Setback Line: A line parallel to a lot line, street or right-of-way line at any story level of a building which defines the limits of a yard and represents the distance which all or part of a building or structure is to be set back from said lot line, street, or right-of-way line.

- a. Front Setback Line: An imaginary line parallel to the front lot line, extending the full width of the lot, representing the distance which all or any part of any structure or building is to be set back from the front lot line. In the event that the front lot line does not fall along a right-of-way line, then the front setback line shall be measured from a line parallel to and twenty five (25) feet from the centerline of the street. (See Illustration)
- b. Side Setback Line: A imaginary line parallel to any side lot line representing the distance which all or any part of any principal building is to be set back from the side lot line. (See Illustration)
- c. Rear Setback Line: An imaginary line parallel to any rear lot line representing the distance which all or any part of any principal buildings is to be set back from the rear lot line. (See Illustration)



202.105 Sewage Disposal System, Central: A waste water treatment system approved by the appropriate county, state, and/or federal agencies which provides a collection network and a central waste water treatment facility for a single development, a community, or a region.

202.106 Sewage Disposal System, On-Site: A septic tank or similar installation on an individual lot which utilizes an aerobic or anaerobic bacteriology process or equally satisfactory process for the treatment of sewage and provides for the proper and safe disposal of the effluent.

202.107 Sign: A name, identification, description, display, or illustration which is affixed to, painted or represented, directly or indirectly upon a building, structure, parcel, or lot and which directs attention to an object, product, place, activity, person, institution, organization, or business .

- a. Billboard: Any sign or advertisement used as an outdoor display by painting, posting, or affixing, on any surface, a picture, emblem, work, figure, numerals, or lettering for the purpose of directing attention to any business, service, or product which is not conducted or sold on the lot where such sign is located.
- b. Sign Area: The entire area within a single contiguous perimeter enclosing the extreme limits of writing, representation, emblem, or figure of similar character together with any frame or material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, excluding the necessary supports or uprights on which the sign is placed; sign area shall be computed from measurements of the maximum silhouette of the largest sign face or combination of faces as viewed from a single point .
- c. Freestanding Sign: Any sign which is not attached to, painted on, or supported by a building .
- d. Projecting Sign: Any sign which is attached perpendicular to any building or structure and extends more than twelve (12) inches beyond the surface of that portion of the building or structure.
- e. Wall Sign: Any sign attached to or painted on the wall of a building or structure with the face in a plane parallel to such wall, and not extending more than twelve (12) inches from the face of such wall.

202.108 Stables: Facilities designed or used for the commercial boarding of horses including any barns, exercise areas, and field areas to be used in the stable operation.

202.109 Story: The part of a building, except a mezzanine, included between the surface of one floor and the surface of the next floor above; or if there is not a floor above, then the ceiling next above. The floor of a story may have split levels provided that there not be

more than four feet difference in elevation between the different levels of the floor. A basement shall not be counted as a story.

- 202.110 Story Half: An uppermost story lying under a gambrel, hip, gable, or shed roof if used, in whole or part, for dwelling or habitable purposes.
- 202.111 Street: See Thoroughfare
- 202.112 Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to the ground. Among other things, structures include buildings, mobile homes, walls, fences, swimming pools, tennis courts, signs, and billboards.
- 202.113 Swimming Pool: Any artificially constructed pool or natural body of water which contains a depth of water of at least 1 1/2 feet at any point used or intended to be used for swimming or bathing, including any accessory recreational structures.
- 202.114 Swimming Pool, Community: Any swimming pool, other than a private pool, which is the principal use upon a lot and operated with or without a charge for admission.
- 202.115 Swimming Pool, Private: A swimming pool located on the same lot as the principal use and used or intended to be used without compensation by the residents and guests of a single-family residence, a two-family residence, a multi-family development, or a motel.
- 202.116 Temporary Use or Structure: A transient, non permanent use or structure permitted to exist for a designated period of time during periods of construction of the principal use of structure, or for special events. A temporary structure shall not be intended to be permanently affixed to the ground.
- 202.117 Tenant Farm Dwelling: A dwelling unit constructed or occupied for the purpose of providing housing for a farmer and his family who are engaged in assisting the owner in the practice of agriculture and/or maintenance of his farm.
- 202.118 Thoroughfare, Street, or Road: The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for access to a property by vehicular traffic and designated as follows:

- a. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
- b. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic, usually on a continuous route .
- c. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within subdivisions.
- d. Cul-de-Sac: A local street of relatively short length with one end open to traffic and the other end permanently terminating in a vehicular turn around.
- e. Dead-End Street: A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
- f. Local Street: A street primarily for providing access to residential, commercial, or other abutting property .
- g. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one-thousand (1,000) feet from said arterial or collector street are not normally more than six hundred (600) feet from each other.
- h. Marginal Access Street: A local or collector street, parallel to and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street.)

202.119 Township Trustees: The Board of Township Trustees of Spring Valley Township, Greene County, Ohio.

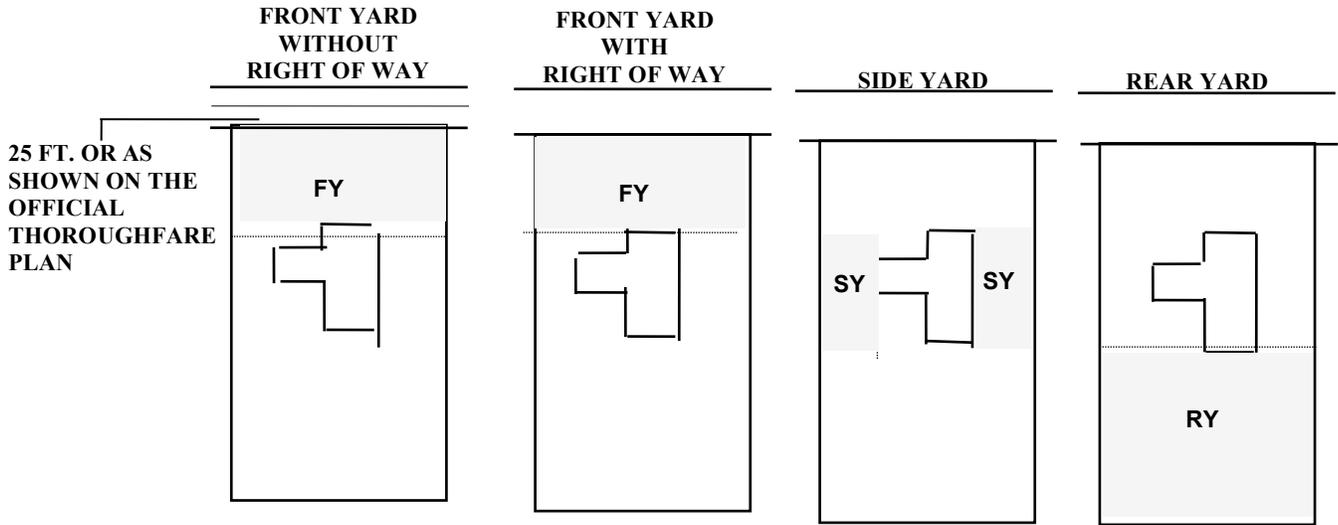
202.120 Use: The specific purpose for which land, a structure, or a building is designed, arranged, intended, occupied, or maintained.

202.121 Variance: A variance is a modification of the strict terms of this Resolution 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 this Resolution would result in unnecessary hardship. Variances are granted only after the applicant has followed the procedures as stated in Article 10, Section 1003 of this Resolution.

- 202.122 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. Such use may include overnight accommodation on the premises for treatment, observation, and/or recuperation.
- 202.123 Vicinity Map: A drawing which sets forth by dimensions or other means the relationship of a property or use to other nearby developments of landmarks and community facilities and services within Spring Valley Township in order to better locate and orient the area in question.
- 202.124 Water System, Central: A water supply approved by the appropriate county, state, and/or federal agencies which provides a water supply to a single development, a community, or a region.
- 202.125 Water System, On-Site: A well or other similar installation on an individual lot which provides a water supply to any structures or uses upon the lot, subject to the approval of health and sanitation officials having jurisdiction.
- 202.126 Yard: An open or unoccupied space other than a court on the same lot with a principal building and unobstructed by buildings or structures from ground to sky except by trees or shrubbery or as otherwise provided herein. The minimum depth of a yard shall be determined by the setback lines as defined in this Resolution. No part of a yard provided for any building or structure shall be included as part of any yard required for any other building or structure unless specifically permitted herein.
- a. Front Yard: An open space extending the full width of the lot between a building or structure and the front lot line of a street unoccupied and unobstructed from the ground upward except as hereinafter specified. Minimum depth shall be measured from the front lot line, existing right-of-way lines, or proposed right-of-way line established on the Official Thoroughfare Plan or by any other method specified elsewhere in this Resolution, as appropriate. (See Illustration)

- b. Side Yard: An open space extending from the front yard to the rear yard between a building or structure and the nearest side lot line unoccupied and unobstructed from the ground upward except as hereinafter specified. (See Illustration)
- c. Rear Yard: An open space extending the full width of the lot between a building or structure and the rear lot line, unoccupied and unobstructed from the ground upward except as herein after specified. (See Illustration)



202.127 Township Council: The Zoning Commission of Spring Valley Township, Greene County, Ohio.

202.128 Zoning District: See District.

202.129 Zoning Inspector: The Zoning Inspector or his authorized representative, appointed by the Township Trustees of Spring Valley Township, Greene County, Ohio.

202.130 Zoning Map: The Official Zoning District Map of Spring Valley Township or portion thereof, together with all amendments thereof subsequently adopted.

202.131 Zoning Permit: A document issued by the Zoning Inspector certifying that the use of lot, structure, or building or location of a structure of building upon a lot is in conformance with this Resolution.