

Chapter 2,000: Definitions

- 2,000 Definitions (as used in this Resolution the terms):
- 2,001 “Used for” includes “designed for” and vice versa; used in the “present tense” includes the “future tense,” used in the “singular number” includes the “plural number” and vice versa; “building” includes “structure”; “dwelling” includes “residence”; “lot” includes “plot”; “shall” is mandatory and “may” is permissive.
- 2,002 “Accessory Building” means a detached subordinate building, with or without foundation, that is located on the same lot as a principal building and not used or designed for human occupancy; and the use of which is clearly incidental to the use of the land or to the use of the principal building.
- 2,003 “Accessory Use” means a use of land or buildings related to the primary use, which use is clearly subordinate to the principal use of the land or buildings, and which is not used for human occupancy.
- 2,004 “Adult arcade” means any place to which the public is permitted or invited in

which coin operated, slug-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and in which the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

“Adult bookstore,” “adult novelty store,” or “adult video store” means a commercial establishment that, for any form of consideration, has as a significant or substantial portion or its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its interior business or advertising to, or maintains a substantial of its sales or display space for the sale or rental of any of the following:

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

(b) “Adult bookstore,” “adult novelty store,” or “adult video store” includes a commercial establishment as defined in *section 2907.38 of the Revised Code*. An establishment may have other principal business purposes that do not involve the offering for sale, rental, or viewing of materials exhibiting or describing specified sexual activities or specified anatomical areas and still be categorized as an adult bookstore, adult novelty store, or adult video store. The existence of other

principal business purposes do not exempt an establishment from being categorized as an adult bookstore, adult novelty store, or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, such materials that exhibit or describe specified sexual activities or specified anatomical areas.

“Adult cabaret” means a nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, that regularly features any of the following:

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

“Adult entertainment” means the sale, rental, or exhibition, for any form of consideration, of books, films, video cassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified anatomical areas or specified sexual activity.

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

“Adult motion picture theater” means a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.

“Adult theater” means a theater, concert hall, auditorium, or similar commercial establishment that, for any form of consideration, regularly features persons who appear in a state of nudity or semi-nudity or live performances that are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities.

“Distinguished or characterized by their emphasis upon” means the dominant or principal character and theme of the object described by this phrase. For instance, when the phrase refers to films “that are distinguished or characterized by their

emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas,” the films so described are those whose dominant or principal character and theme are the exhibition or description of specified sexual activities or specified anatomical areas.

“Nude or semi-nude model studio” (a) means any place where a person, who regularly appears in a state of nudity or semi-nudity, is provided for money or any other form of consideration to be observed, sketched, drawn, painted sculptured, photographed, or similarly depicted by other persons.

(b) A modeling class or studio is not a nude or seminude model studio and is not subject to this resolution if it is operated in any of the following ways:

- (i) By a college or university supported entirely or partly by taxation;
- (ii) By a private college or university that maintains and operates educational programs, the credits for which are transferable to a college or university supported entirely or partly by taxation;
- (iii) In a structure that has no sign visible from the exterior of the structure and no other advertising indicating that a person appearing in a state of nudity or semi-nudity is available for viewing, if in order to participate in a class in the structure, a student must enroll at least three days in advance of the class and if not more than one nude or seminude model is on the premises at any one time.

“Nudity,” “nude,” or “state of nudity” means the showing of the human male or female genitals, pubic area, vulva, anus anal cleft, or cleavage with less than a fully opaque covering; or the showing of the female breasts with less than a fully opaque covering of any part of the nipple.

“Regularly features” or “regularly shown” means a consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as a part of the ongoing business of the adult entertainment establishment.

“Seminude” or “state of semi-nudity” means a state of dress in which opaque clothing covers not more than the genitals, pubic region, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

“Sexual encounter establishment” means a business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where either of the following occur:

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

- 2,005 “Alley” means a right-of-way, other than a street, road, crosswalk, or easement that provides secondary access for the special accommodation of the abutting property.
- 2,005a “Alteration” means any change in the nature of the use of the land and/or buildings; and includes any change in supporting members, beams, bearing walls, column or girders which would tend to prolong the life of the building or use; but not including normal maintenance and repair.
- 2,006 “Automobile Service Station” means any premises used for supplying gasoline or oil or retail direct to the motoring public; including minor accessories and services for automobiles conducted wholly within an enclosed building.
- 2,007 “Basement” means a story partly or wholly underground, where no more than one-half the height of the story is above the average level of the adjoining ground.
- 2,008 “Board” means the Board of Zoning Appeals.
- 2,009 “Building” means a roofed structure for the shelter, support, enclosure or protection of persons, animals, or property; where each part of such a structure that is separated from the rest by unbroken party walls is a separate building for the purpose of this resolution.
- 2,010 “Building Area” means the horizontally projected area of the buildings on a lot, excluding terraces, unenclosed porches, and other open areas.
- 2,011 “Building Height” means the vertical distance measured from the average level of the finished grade at the front of the building to the highest point of a flat roof; to the deck line of a mansard roof or to the ridges of a gable, hip, or gambrel roof.
- 2,012 “Building Line” means the line that establishes the minimum permitted distance on a lot between the outside of the building including any overhang, and the lot line.
- 2,013 “Business” means the use of land or buildings for the purpose of purchase, sales or exchange of goods and services; for the purpose of maintaining offices, recreational or amusement enterprises for profit.
- 2,014 “Commission” means the Zoning Commission of Jackson Township, Sandusky County, Ohio.
- 2,015 “Condominium” means property in which one or more individually owned dwelling units are contained within a single building or buildings, and the units are offered together with undivided interest in the common areas and facilities of the property.
- 2,016 “Corner Lot” means a lot at the junction of, and abutting, two intersecting or intercepting streets.
- 2,017 “Detached Building” means a building that has no structural connection with another building.
- 2,018 “Drive-in” means any retail commercial use providing considerable off-street parking and catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters and similar uses.
- 2,019 “Dwelling” means a building or part of a building that is used primarily as a place of abode, but not including a hotel, motel, lodging house, boarding house or tourist home.
- 2,020 “Dwelling unit” means a dwelling, or part of a dwelling, used by one family, exclusively, as a place of abode.

- 2,021 “Family” means one or more persons living as a single housekeeping unit, but not including an unrelated group of more than six persons or a group occupying a hotel, motel, club, nurses’ home, dormitory, fraternity or sorority.
- 2,022 “Farm” means as area used for agricultural operations. To be classified as a farm, five acres must be in agricultural production.
- 2,023 “Front line” means, with respect to a building, the foundation line that is nearest the front lot line.
- 2,024 “Front lot line” means the line marking the boundary between the lot and the abutting street, easement for street purposes, lake or water course; except that for a corner lot, means the line marking the boundary between the lot and the shorter of the abutting streets, easement for street purposes, lake or watercourse.
- 2,025 “Front Yard” means a yard that is bounded by the front line of the principal building, by the front lot line, and by the segments of the side lot lines that they intercept; except that on double frontage lots, one such front yard may be used as a “rear yard” provided that, the minimum front building line in such cases shall be complied within placement of accessory buildings.
- 2,026 “Ground Floor Area” means the area of a building in square feet, as measured in a horizontal plane at the ground floor level within its largest outside dimensions, exclusive of open porches, breezeways, terraces, garages and exterior stairways.
- 2,027 “Home Occupation” means the use of a home for a business of professional service which is established entirely within a dwelling unit, is conducted only by members of the family residing in residence, and utilizing not more than 25 percent of the ground floor area of all buildings on the lot.
- 2,028 “Junk Yard” means land or buildings where waste or discarded used property and materials is accumulated and is or may be salvaged for re-use or re-sale; including but not limited to automobiles, farm equipment, mobile homes, travel trailers, trucks, and/or parts thereof. The keeping of one or more unlicensed and/or inoperable automobiles not used for farming purposes, shall be deemed a junk yard.
- 2,029 “Kennel” means a place primarily for keeping four or more dogs that are at least four months old.
- 2,030 “Lodging House” means a building, not available to transients, in which lodging is regularly provided for compensation for at least three but not more than ten persons.
- 2,031 “Lot” means as area, exclusive of streets and alleys and other public places, used as unit, and which abuts a street or road.
- 2,032 “Lot Coverage” means the area covered by buildings times one hundred, divided by the total lot area, exclusive of streets, alleys and walkways, but including utility and other similar easements, expressed as a “percentage of lot coverage.”
- 2,033 “Lot Line” means the legal boundaries of the “lot,” excluding streets, alleys and other public places.
- 2,034 “Lot Width” means the distance between the side lot lines measured at the minimum front line.
- 2,035 “Lot Depth” means the average distance from the street or road right-of-way to the back lot line as measured perpendicularly or radically from the intersection of each lot line with the street, or road right-of-way.

- 2,036 “Manufactured Homes” means:
- a. “Class A manufactured home” means a manufactured home certified as meeting either the manufactured home construction and safety standards of the U.S. Department of Housing and Urban Development or industrialized unit requirements of the Ohio Board of Building Standards; has the same siding materials and pitched shingled roofs as used on newly constructed conventional homes; and is on a permanent foundation.
 - b. “Class B manufactured homes” means a manufactured home certified as meeting either the manufactured home construction and safety standards of the U.S. Department of Housing and Urban Development (1977) or the industrialized unit requirements of the Ohio Board of Building Standards; has a bowed metal roof and aluminum siding with the traditional manufactured home appearance; and is on a permanent foundation.
- 2,037 “Mobile Home Park” means an area of land which two or more manufactured homes are regularly accommodated or intended for such use, with or without charge, including any buildings, other structures, fixtures, or equipment that is used in providing that accommodation.
- 2,038 “Multiple Family Dwelling” means a dwelling or structure containing two or more “dwelling units.”
- 2,039 “Nature Resource Development” means the mining or extraction of any stone, sand, gravel, dirt, oil, or other natural resources, and shall include the processing of such natural resources.
- 2,040 “Non-Conforming Use” means a use that exists at the time a provision of this Resolution is passed but does not comply with it.
- 2,041 “Permanent Foundation” means a structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil. For purposes of this Zoning Ordinance, a “permanent foundation” requires walls at the exterior line of the trailer constructed on footers set below the frost line and steel beams across these walls to weld or bolt the trailer frame to.
- 2,042 “Permanent perimeter enclosure” means a foundation which forms a complete enclosure under exterior walls, and includes a skirting constructed of fire and weather resistant materials, enclosing the undercarriage of a manufactured home.
- 2,043 “Person” means also a corporation, firm, partnership, association, organization, unit of government or any other group that acts as a unit.
- 2,044 “Principal Building” means the building in which the principal use of the lot on which it is located is conducted, including a building that is attached to such a building in a substantial way, such as a roof and walls.
- 2,045 “Private Garage” means a garage whose principal use is to house or motor vehicles for the accommodation of related dwelling units or related business establishments, located on the same lot as the principal use.
- 2,046 “Private School” means a school other than a public school.
- 2,047 “Professional Office” means an office used by members and the necessary personnel of a recognized profession such as architects, dentists, business establishments, located on the same lot as the principal use.

- 2,048 “Overnight Camp” means an area of land used or designed to be used to accommodate two or more tents, travel trailers, or other camping outfits, for no longer than a two-week period.
- 2,049 “Public Garage” means a garage, other than a private garage, whose services are available to the public or to persons occupying a hotel, club or similar facility.
- 2,050 “Rear Lot Line” means a line farthest from the front line, and connecting the two side lot lines.
- 2,051 “Rear Yard” means a yard that extends across the full width of the lot and is bounded on the rear by the rear lot line, and the depth of which is the least distance from the rear lot line and the rear principal building.
- 2,052 “Side Lot Line” means a boundary line other than a front or rear lot line.
- 2,053 “Side Yard” means a yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.
- 2,054 “Satellite Dish” means a structure erected for the purpose of receiving satellite television signals.
- 2,055 “Sign” means visual devices or structures used for advertising, identification, display, direction or publicity purposes.
- 2,056 “Street” or “Road” means a right-of-way or easement that is established by record to provide the principal means of access to abutting property.
- 2,057 “Structure” means anything constructed or erected that requires location on or in the ground or attachment to something having a location on or in the ground.
- 2,058 “Structural Change” means a substantial change in a supporting member of a building or structure such as a bearing wall or bearing partition, column, beam, or girder, or in an exterior wall or the roof.
- 2,059 “Through Lot” means a lot fronting on two parallel or approximately parallel streets and includes lots fronting on both a street and a water course or lake.
- 2,060 “Travel Trailer” means a vehicle or other portable structure thirty feet or less in length that is designed to move on the highway and designed or used as a temporary dwelling.
- 2,061 “Travel Trailer Park” means an area of land on which two or more travel trailers are regularly accommodated with or without charge, including any buildings, structures or fixtures or equipment that is used in connection with providing such accommodations.