

# Article 1

## Preliminary Sections

### 100 Authority

This Zoning Resolution is enacted pursuant to the powers and authority granted under the provisions of the Ohio Revised Code. State of Ohio, Section 519.02, said Section providing as follows:

519.02. Board of Township Trustees may regulate location, size and use of buildings and land in unincorporated territory for public purpose

Except as otherwise provided in this section. In the interest of promoting the public health, safety, convenience, comfort, prosperity, or general welfare, the Board of Township Trustees may in accordance with a comprehensive plan regulate by resolution the location, height, bulk, number of stories and size of buildings and other structures, including tents, cabins and trailer coaches, percentages of lot areas that may be occupied, set back building lines, sizes of yards, courts, and other open spaces, the density of population, the uses of buildings and other structures including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the township, and establish reasonable residential landscaping standards and residential architectural standards, excluding exterior building materials, for the unincorporated territory of the township; and for all these purposes, the board may divide all or any part of the unincorporated territory of the township into districts or zones of such number, shape, and area as the board determines. All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the regulations in one district or zone may differ from those in other districts or zones.

Be it resolved by the Board of Township Trustees, Jackson Township, Clermont County, Ohio:

### 110 Purpose

This Resolution is enacted for the purpose of promoting public health, safety, and morals within Jackson Township, and for the purpose of promoting the general welfare of the people of Jackson Township.

### 120 Territory under the zoning resolution

This Zoning Resolution shall be effective in the unincorporated areas of Jackson Township. This Resolution shall be in effect immediately upon certification of the vote

by the Board of Elections of Clermont County showing statutory approval by the voters of Jackson Township, or as otherwise provided by law.

This Resolution shall not apply within municipal corporations. If the township territory subject to this Resolution is incorporated, then this Resolution shall apply therein and be enforced by Jackson Township until the election and qualification of officials for the incorporated territory. This interim time is to enable the new officials to adopt zoning regulations for the incorporated territory.

Upon annexation of township territory to an existing municipal corporation the zoning regulations then in effect shall remain in full force and effect and shall be enforced by the township officials until the legislative authority of said municipal corporation shall either officially adopt the existing zoning regulations or new regulations for such territory.

### **130 Title**

This Resolution shall be known and may be cited and referred to as the Zoning Resolution of Jackson Township, Clermont County, Ohio.

### **140 Meaning of zoning standards**

The standards contained herein are minimum requirements. Where the requirements of this Resolution are higher than those established by other provisions of law, or by other rules, regulations or restrictions, the standards of this Resolution shall be followed.

### **150 Districts**

In order to classify, regulate and restrict: the location of trades, industries, residence, recreation and other land uses; the location of buildings designed for specified uses; the size of buildings and other structures erected or altered; the size of yard and other spaces; and setback building lines, Jackson Township, Clermont County, Ohio, is hereby divided into classes of Districts:

- A. Agricultural "A-1" District
- B. Residence "R-1" District
- C. Residence "R-2" District
- D. Retail Business "B-1" District
- E. Commercial "C-1" District
- F. Industrial I-1" District

### **160 Boundaries**

The boundaries of these districts are hereby established as shown on the map known as the zoning map of Jackson Township, which map accompanies and is hereby

declared to be part of this Resolution. The said map and all the notations, references and other information shown thereon are as much as part of this resolution as if the notations, references and other information were fully described herein, which map is properly attested and on file with the township Trustees.

## **170 Interpretation of maps**

The boundaries of each district are intended to follow property lines, lot lines or center lines of streets and lanes as they existed at the time of the adoption of this Resolution. Distances can generally be scaled directly from the zoning maps but should questions arise concerning the exact location of district boundary lines, the questions shall be determined by survey and soil conservation factors relevant to the area as interpreted by the Board of Zoning Appeals.

## **180 Vacated streets**

Whenever a street, alley or public way is vacated by official action, the zoning districts adjoining each side of such street, alley or public way shall automatically extend to the center of such vacancy and all areas included in the vacancy shall then and henceforth be subject to all regulations of the extended districts.

## **190 Definitions**

For the purpose of this Resolution, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual; the words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied"; the word "lot" includes the words "plot" or "parcel."

Accessory building: A building subordinate to the main building, the use of which is incidental to that of the main building or to the use of the premises.

Accessory use: A use, object, or structure constructed or installed on, above, or below the surface of a parcel, which is located on the same lot as a principal use, object, or structure, and which is subordinate to or serves the principal use, object, or structure, is subordinate in area to the principal use, object, or structure, and is customarily incidental to the principal use, object, or structure. Among other things, "accessory use" includes anything of a subordinate nature attached to or detached from a principal structure or use, such as fences, walls, sheds, garages, parking places, decks, poles, poster panels, and billboards. Except as otherwise required in this Resolution, an accessory use shall be a permitted use.

Agriculture: Includes the use of land for ~~agricultural purposes including~~ farming; ranching; algaculture; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying,

storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production and provided further, that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

Algaculture: The farming of algae.

Alley: A public thoroughfare which affords only a secondary means of access to abutting property.

Apartment: A room or suite of rooms in a multiple dwelling intended or designed for use as a residence by a single family.

Apartment hotel: A building designed for or containing both apartments and individual guest rooms or suites of rooms and apartments and in which may be furnished services ordinarily furnished by hotels, such as drugstore, barber shop, cigar and newsstands, when such uses are located entirely within the building with no entrance from the street and having no sign or display visible from the outside of the building indicating the existence of such use.

Apartment house: See dwelling, multiple.

Apiculture: The maintenance of honey bee colonies, commonly in hives.

Aquaculture: The farming of aquatic organisms such as fish, crustaceans, mollusks, and aquatic plants.

Automobile major repair: The general repair, rebuilding or reconditioning of engines, and exchange or reconditioning of motors, motor vehicles or trailers; collision service including body, frame, or fender straightening or repair; over-all painting or paint shop; vehicle steam cleaning.

Automobile minor repair: The replacement of minor parts and service to passenger cars and trucks not exceeding one (1) ton capacity, but not including any operation named under "Automobile major repair", or any other similar service thereto.

Automobile or trailer sales area: An open area, other than a street, used for the display, sale or rental of new or used motor vehicles or trailers in operable condition and where no repair work is done.

Automobile service station or filling station: A place where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including greasing and oiling on the premises.

Automobile wrecking: The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Basement: A building story having part but not more than one-half (1/2) of its height above grade and used for storage, garages for use of occupants of the building, janitor

or watchman quarters, or other utilities common for the rest of the building. A basement used for the above purposes shall not be counted as a story.

Board: The Board of Zoning Appeals of Jackson Township, Clermont County, Ohio.

Boarding or lodging house: A building other than a hotel where, for compensation and by arrangement, meals or lodging and meals are provided for three (3) or more people but not exceeding twenty (20) people.

Buffer: A designated area, provided to mitigate the potential adverse impacts between two (2) land uses, or between a land use and a natural feature, which mitigates potential impacts by some combination of construction design, vegetative plantings, fences and/or maintenance practices.

Building: Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of people, animals or property. When such a structure is divided in to separate parts by one or more unpierced walls (fire walls) extending from the ground up, each part is deemed a separate building, except as regards minimum size, and requirements as hereinafter provided.

Building, height of: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

Building setback line: The distance from right-of-way line to front of the structure.

Carport: An automobile shelter, either built as a roof at the side of a building, or is free standing.

Cellar: A building story, the floor of which is more than one-half (1/2) of its story height below the average contact ground level of the exterior walls of the building. A cellar shall be counted as a story for the purpose of height regulations, only if used for dwelling purposes other than by a janitor or caretaker employed on the premises.

Certificate: See zoning certificate.

Channel: An open watercourse, either naturally or artificially created with a definite bed and banks or shoreline, which periodically or continuously contains moving water. See also: Flood Plain Terms.

Clinic: A place where medical or dental care is furnished to people on an out-patient basis by four or more doctors, dentists and/or medical technicians.

Club: A building, or portion thereof, or premises owned or operated by a corporation, association, individual or people for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

A.) Private Club: An organization or small group of people that may or may not pay a fee to be a member. Members have the right to admit or deny whom they want. The organization is not accessible or open to the general public.

Commission: The Zoning Commission of Jackson Township, Clermont County, Ohio.

Court: An open unoccupied and unobstructed space, other than a yard, on the same lot with a building or group of buildings.

Density: The required land area for each dwelling unit.

District: A portion of the territory of Jackson Township within which certain uniform regulations and requirements of various combinations thereof apply under the provisions of this Resolution. The term "R" District shall mean "R-1" or "R-2."

Drive-in eating and drinking establishments: Restaurants which provide outside parking spaces and serve prepared food and beverages outside for consumption on the premises.

Drive-through restaurant: A restaurant that provides for prepared food and beverages to be served at a pick-up window for consumption off the premises.

Dwelling: Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more people, but not including a tent, cabin, temporary housing, trailer coach, mobile home, camper unit, or converted motor vehicle.

- A. Dwelling, single family: A building designed for or used exclusively for residence purposes by one (1) family or housekeeping unit.
- B. Dwelling, two-family: A building designed for or used exclusively by two (2) families or housekeeping units.
- C. Dwelling, multiple: A building or portion thereof designed for or used by three (3) or more families or housekeeping units.
- D. Dwelling unit: One (1) room, or a suite of two (2) or more rooms, designed for or used by one (1) family for living and sleeping purposes and having only one (1) kitchen or kitchenette.
- E. Dwelling group: A group of two (2) or more detached dwellings located on a parcel of land in one ownership and having any yard or court in common.

Family: A person living alone, or two (2) or more people living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel, dormitory, fraternity or sorority house, provided, however, that "family" shall not include more than four (4) people unrelated to each other by blood, marriage or legal adoption.

Flood plain terms: Any land susceptible to being inundated by floodwaters from any source, subject to the following respective terms and definitions (See also diagram on page 1-17):

- A. Channel: An open watercourse, either naturally or artificially created with a definite bed and banks or shoreline, which periodically or continuously contains moving water.
- B. Flood, Regional: Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of the one hundred (100) year recurrence interval flood.
- C. Floodway: The channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community.
- D. Flood fringe: That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions without causing substantially higher flood levels or flow velocities. Flood Fringe areas serve as temporary storage for flood waters.

Frontage: The distance of the property measured along the line of the street between the side property lines of the parcel where they intersect the line of the right-of-way for the public street or easement line for a private street.

Garage, private: A detached accessory building, a portion of the principal building used for the parking or temporary storage of self-propelled passenger vehicles, trailers or boats by families residing upon the premises with the following conditions:

- A. Not more than one (1) space is rented for parking to a person not a resident on the premises;
- B. No more than one (1) commercial vehicle per dwelling unit is parked or stored;
- C. The commercial vehicle permitted does not exceed one and one-half (1 1/2) ton capacity.

Garage, public: A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles, and in which no service shall be provided for remuneration.

Garage and Yard Sale: A one to four day (1 – 4) general sale, open to the public, conducted from or on a residential premise for the purpose of offering for sale new, used or secondhand items of personal property. May also be called a tag sale, porch sale, lawn sale, attic sale, basement sale, flea market sale, backyard sale, rummage sale, or some other similar type of name.

Grade: The average level of the finished surface of the ground adjacent to the exterior walls of a building.

Green belt: Grass or landscaped area.

Horticulture: A branch of agriculture that deals with the art, science, technology, and business of vegetable, ornamental, and garden plant growing.

Hospital: A building or portion thereof used for the accommodation of sick, injured or infirm people including health-care facilities, hospitals and sanitariums, convalescent and rest homes and boarding homes for children and aged individuals.

Hotel: A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradistinction to a boarding house, a lodging house, or an apartment which are herein separately defined.

Housekeeping unit: A dwelling unit where one (1) or more people are occupying and living as a single group, and doing their own cooking on the premises, as distinguished from a group occupying a boarding house, lodging house, or hotel, as herein defined.

Industry: The storage, repair, manufacture, preparation, or treatment of any article, substance or commodity.

Inoperable vehicle: Any vehicle or motor vehicle as defined in Section 4501.01 (A) and (B) of the Ohio Revised Code, which vehicle is unfit for use due to any of the following conditions:

- A. Not currently licensed for use on roads in this state, or;
- B. Unsafe for travel due to the lack of a part or parts such as but not limited to, a wheel, a door, the hood, the motor, or the windshield, or;
- C. If the vehicle were inspected by the Ohio State Highway Patrol according to Section 4513.02 (A) through (G) of the Ohio Revised Code and would be found to be unsafe.

Institution: A building occupied by a for-profit or a non-profit foundation of a public character established by a society or corporation.

Irregular lot: Any lot that is not square or a rectangle in shape, that has nonparallel side lot lines, or nonparallel front and rear lot lines and/or side lot lines that are not normal to the principal access street.

Junk: Is defined as set forth in Section 4737.05 (A) of the Ohio Revised Code and means; old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, iron, steel, and other old or scrap ferrous or nonferrous materials.

Junk yard: As defined in Section 4737.05 (B) of the Ohio Revised Code or a place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, picked, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvage house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building.

Kennel: Any lot or premises on which four (4) or more domesticated animals of any species, more than four (4) months of age are housed, groomed, bred, boarded, trained or sold. Kennels are permitted only in districts where specified.

Laboratory: A building or a portion of a building devoted to the experimental study in science, or the testing and analysis of chemicals, drugs, minerals, or other substances usually associated with scientific study.

Laboratory, medical or dental: A building or a portion of building devoted to providing bacteriological, biological, medical, X-ray, pathological and similar analytical or diagnostic services to doctors or dentists and where no fabrication is conducted on the premises except the custom fabrication of dentures.

Landfill: Any facility used for the disposal, burial, storage, treatment or recycling of any solid waste or hazardous waste with the definitions of solid waste disposal, hazardous waste, treatment, storage, and facility being the same definitions as set forth in Section 3704.01 (E), (F), (J), (K), (M), (N) of the Ohio Revised Code.

Landowner: The person, firm, corporation, partnership or entity that is listed in the Clermont County Recorder's Office as having legal title to the subject property.

Landscaping business: To provide off-site services involving the addition, maintenance, removal or building of irrigation, irrigation systems, lawns, trees, plants, natural or decorative features, grass cutting, pruning, mulching, edging, trimming, patios, decks, stone walls and decorative fences.

Land use plan: A long-range plan for the desirable use of land for Jackson Township as prepared under the direction of the Zoning Commission and adopted by the Board of Trustees. The purpose of the plan is to serve as a guide in the zoning and progressive changes in the zoning of land to meet changing community needs in the subdividing and use of land.

Laundromat: An establishment providing commercial washing, drying, or ironing machines for hire to be used by customers on the premises.

Loading space: A space within the main building, or on the same lot therewith, providing for the standing, loading, or unloading of trucks, and having a minimum dimension of twelve feet (12') by sixty-five feet (65') and a vertical clearance of at least fourteen feet (14').

Lot: A parcel of land occupied or intended for occupancy by a use permitted in this Resolution, including one (1) principal permitted use together with its accessory buildings, the open spaces and parking spaces required by this Resolution, and having its principal frontage upon a public or private street or upon an officially approved place.

- A. Lot, corner: A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty five degrees (135 degrees). The point of intersection or the street lines is the "corner."

- B. Lot, double frontage: A lot having a frontage on two (2) non-intersecting streets as distinguished from a corner lot.
- C. Lot, interior: A lot other than a corner lot.
- D. Lot of record: A parcel of land which has been defined and recorded in the office of the County Recorder of Clermont County.

Lot depth: The mean horizontal distance between the front and the rear lot lines.

Lot, minimum area of: The area of a lot computed exclusive of any portion of the right-of-way of any public or private thoroughfare.

Lot width: The mean width of the lot measured at right angles to its depth.

Manufactured home: A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

Manufactured home park: A tract of land upon which three (3) or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes. Excluded from the definition are one (1) tracts of land containing manufactured homes if the homes are on lots sold or for sale and the tract roadways are defined to the local government authority, and two (2) tracts used solely for the storage or display for sale of manufactured homes, or solely as a temporary park-camp. This includes mobile homes in the definition of a manufactured home park and exclusions therefrom, and also excludes from the definition a tract of land within an area that is subject to local zoning authority and subdivision requirements, and is subdivided into individual lots for sale or sold for the purpose of installation of manufactured or mobile homes for habitation. (Changed, Aug. 9, 2000.)

Mobile home: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than 35 body feet in length, or, when erected on site, is 320 or more square feet, that is built on a permanent chassis and is transportable in one (1) or more sections, and does not qualify under the definition of a manufactured home. Units categorized as mobile homes are primarily those units built before 1975, when the federal Housing and Urban Development agency standards became effective. (Added, Aug. 9, 2000.)

Modular home: A dwelling pre-manufactured for delivery to a site in units for assembly at its destination. A suitable footing and continuous masonry foundation are required for this type of dwelling.

Motor vehicle: Means any vehicle, including manufactured homes and recreational vehicles, propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires. Excluded are: motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well drilling machinery, ditch digging machinery, farm machinery, trailers used to

transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed of twenty-five (25) miles per hour, or less, threshing machinery, hay baling machinery, corn sheller, hammermill and agricultural tractors and machinery used in the production of horticultural, agricultural, and vegetable products.

Non-conforming use: A building, structure or premises legally existing and/or used at the time of adoption of this Resolution or any amendment thereto and which does not conform to the use regulations of the district in which located.

Open space, common: Land areas to be left undeveloped and undisturbed during construction as a natural resource area, recreation area, buffer yard, low intensity agricultural production (such as tree farms, specialty crops, organic produce, certain nurseries, or hay fields), or other undeveloped space. Open space excludes areas in lots, street right-of-ways, public utility easements, and parking. Open space may be either private or public (See Article 14, Section 1405).

Ornamental Features: A term intended to describe objects assembled to serve an esthetic purpose. These decorative structures vary in size, shape and intended function. They can be assembled from basic objects such as plants, wood, aluminum, lumber, and wood-plastic composites. These structures can be used in a number of ways: they may serve the purpose of esthetics only, as part of a garden or landscape feature, or to extend living areas.

Panhandle Lot: A lot, which utilizes a narrow strip of land, a minimum of no less than twenty-five (25) feet, to provide legal access to frontage on a public or private street.

Parking area, private: An open area for the same uses as a private garage.

Parking area, public: An open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.

Parking space: A surfaced area suitable for parking of motor vehicles of not less than one hundred sixty-two square feet (162 square feet) either within a structure or in the open, exclusive of driveways or access drives.

Patio: An uncovered area, permanently surfaced or constructed, the use of which is customarily incidental to that of the main use of the land and which is located on the same lot with the main building or use.

Place: Open, unoccupied space or a public or private thoroughfare, other than a street or alley, permanently reserved as the principal means of access to abutting property.

Planned Development (PD): A development that is planned to integrate proposed land uses on a tract of land under single ownership or control, or unified plan of development, and is developed in a single phase or multiple phases according to approved plans and design principles, with provisions for the operation and maintenance of common areas, improvements and facilities.

Plan: The written and graphic submission for a planned development, including a plat of subdivision, all covenants relating to the use, location, and bulk of buildings and other

structures, density of development, private streets, ways and parking facilities, common open space and public facilities.

Pond/lake: A non-chlorinated body of water.

Porches: A. Uncovered porch: See Section 8, Paragraph 819, Projections

- B. Covered porch: A covered area adjoining an entrance to a building and usually having a separate roof.

Private Road: A street which has not been duly accepted by the county or state for public use and has not been accepted to be maintained by the township.

Professional consultant: A person who possesses the knowledge and skills by reason of education, training, and experience to comprehend the full nature and extent of the project in questions regarding its social, economic, physical, environmental and design characteristics and implications in order to foster a unified plan for development. The consultant may be, but not necessarily limited to, a registered architect, landscape architect, engineer, planner, or equivalent.

Professional and home occupations: Any occupation, activity or profession carried on by a member of the family residing on the premises. Such home occupations or professions include:

- A. The office of a physician, dentist, artist, musician, lawyer, architect, teacher, real estate agent or similar profession; provided that not more than one-fourth (1/4) of the area of the individual's living unit be used for such purposes.
- B. Home work shops and handicrafts, provided that no nuisance such as noise, odor or atmosphere contamination is created.

Right-of-Way: A general term to noting land, property or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority.

Right-of-way Line: A dividing line between a lot, tract or parcel of land and a contiguous street. Measurements shall be taken from the proposed right-of-way shown in ~~said map~~ the official highway map of Clermont County. Current typical right-of-way lines in Jackson Township are:

- A. State Highway – Sixty (60) Feet measured 30 feet to each side of the highway center line.
- B. County Road – Forty (40) Feet measured 20 feet to each side of the highway center line.
- C. Township Road – Thirty (30) Feet measured 15 feet to each side of the center line.

- D. Private Road – In Jackson Township, right-of-way requirements transfer from the public road of which the private road intersects.

Recreational vehicle: A vehicular portable structure designed and constructed to be used as a temporary dwelling for travel, recreational and vacation uses and being classed as follows:

- A. Travel trailer: A non-self-propelled recreational vehicle not exceeding an overall length of thirty-five (35) feet, exclusive of bumper and tongue or coupling, and includes a tent type fold out camping trailer as defined in division (S) of section 4517.01 of the Ohio Revised Code.
- B. Motor home: A self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.
- C. Truck camper: A non self-propelled recreational vehicle, without wheels for road use, and designed to be placed upon and attached to a motor vehicle.

Residential floor area: The area of dwelling devoted to living purposes, including stairways, halls and closets within the dwelling unit but excluding porches and space used for a garage or carport. In multi-family dwellings, the area of laundry rooms, storage rooms, offices, elevators, stairways, hallways or lobbies shall be excluded from the residential floor area.

Rear dwellings: No building in the rear of a principal building on the same lot shall be used for residential purposes unless it conforms to all the yard and other open space and off-street parking requirements of this Resolution, and for the purpose of determining the front yard in such case, the rear line of the required rear yard for the principal building in front shall be considered the front lot line for the building in the rear. In addition, there must be provided for any such rear dwelling an unoccupied and unobstructed access way not less than twenty feet (20') wide to a public street for each dwelling unit in such space, or one (1) access way not less than fifty feet (50') wide for three (3) or more dwelling units.

Sexually-oriented Businesses: See Article 13, Section 1306 for definitions pertaining to sexually-oriented businesses.

Sign: See Article 7, Section 701 for definitions pertaining to signs and signage.

Story: That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, then the space between the floor and the ceiling next above it.

- A. Story, first: The lowest story or ground story of any building the floor of which is not more than twelve (12 inches) below the average contact ground level at the exterior walls of the building; except that any basement or cellar used for residence purposes, other than for a janitor or caretaker of his family, shall be deemed the first story.

- B. Story, half: A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story, except that any partial story used for residential purposes, other than for a janitor or caretaker or his family or by a family occupying the floor immediately below it, shall be deemed a full story.

Street: A public or private thoroughfare which affords the principal means of access to abutting property. The term street shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

Street line: A dividing line between a lot, tract, or parcel of land and a contiguous street, referred to as the right-of-way line.

Structure: Anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground including - but without limiting - the generality of the foregoing, advertising signs, billboards, backstops for tennis courts and pergolas.

Structural alterations: Any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders.

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Swimming pool: A structure, pool, or open tank containing at least one and one-half (1 ½) feet of water at any point that is chlorinated and is maintained by the owner or manager.

- A. Private: Exclusively used without paying an additional charge for admission by the residents and guests of a single household, multi-family development, or a community; the members and guests of a club, or the patrons of a motel or hotel; an accessory use.
- B. Community: Operated with a charge for admission; a primary use.

Terraces: See Section 8, Paragraph 819: Projections

Tourist home: A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty (20) individuals and open to transient guests.

Trailer, trailer coach, or motor home: Any vehicle structure constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation, or use as a selling or advertising device, or use for the storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

Trailer, camping: A vehicle or structure, other than a boat, designed and constructed in such a manner that its primary purpose is for use as a temporary living facility or during

vacation or recreation periods and is, or may reasonably be mounted on wheels or a motor vehicle and which is drawn or carried upon highways or streets.

Trailer, utility: A vehicle or structure designed and constructed in such a manner, mounted on wheels or a motor vehicle, so it can be drawn or carried upon streets or highways whose primary purpose is to haul personal property or other property or materials and is licensed or licensable as a utility trailer under Ohio Motor Vehicle licensing law for use on highways or streets.

- A. A small utility trailer is a utility trailer designed to haul not more than two thousand (2,000) pounds of materials.

Trailer or motor home court or camp: An area where one (1) or more trailers, trailer coaches, motor homes, or tents can be or are intended to be parked or stationed, designed, or intended to be used as temporary living or semi-permanent living facilities of one (1) or more families and are intended primarily for automobile transient.

Thoroughfare plan: The official Thoroughfare Plan of, and as adopted by, the Planning Commission of Clermont County, Ohio, establishing the location and official right-of-way widths of principal highways and roads in the County, on file in the office of the County Engineer and the County Planning Commission of Clermont County, Ohio, together with all amendments thereto subsequently adopted.

Trustees: The Board of Trustees of Jackson Township, Clermont County, Ohio.

Use, first permitted in any district: A use which in the sequence of successively less restricted districts occurs as a permitted use for the first time in any district.

Variance: A deviation from a specific zoning requirement as to height, size, lot area, density, yard depth, setback, etc. of a specific zoning district; however, a request for a use permitted within another zoning district shall not be considered for a variance by the board.

Vehicles: Everything on wheels or runners, including motorized bicycles, but does not mean vehicles operated exclusively on rails or tracks or from overhead electric trolley wires and vehicles belonging to any police department, municipal fire department, or volunteer fire department or used by such department in the discharge of its functions.

Viticulture: The science, production and study of grapes.

Wrecked Vehicle: Extensively damaged, such as damage including, but not limited to, any of the following: missing wheels, tires, motor, or transmission.

Yard: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by a portion of structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building or any projections thereof other than the projections of the usual uncovered steps, uncovered balconies, or porch, shall be used.

- A. Yard, front: A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street or place line and the main building or any projections thereto. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.
- B. Yard, rear: A yard extending across the rear of a lot and being the horizontal distance between the rear lot line and the rear of the main building or any projections thereto. On all lots, the rear yard shall be in the rear of the front yard.
- C. Yard, side: A yard between the main building and the side line of the lot and extending from the front yard to the rear yard and being the horizontal distance between a side lot line and the side of the main buildings or any projections thereto.

Zoning certificate: The document issued by the Zoning Administrator authorizing the construction and/or alteration of any permanent and/or temporary building, dwelling, or other structure in excess of twenty-seven (27) cubic feet or to establish or change the use of any land, building, dwelling or other structure.

Zoning Commission: The Jackson Township Zoning Commission as appointed by the Township Trustees.

Zoning Administrator: The Zoning Administrator or his/her authorized representative, as appointed by the Township Trustees.

Zoning district map: The zoning district map or maps of Jackson Township, together with all amendments subsequently adopted.