

- (13) **"Building"** means any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property. (*See Structure.*)
- (14) **"Building, Accessory"** means a subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.
- (15) **"Building, Height"** means the vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the average height between the eaves and ridge for gable hip and gambrel roofs.
- (16) **"Building Line."** (*See Setback Line.*)
- (17) **"Building, Principal"** means a building in which is conducted the main or principal use on which said building is situated.
- (18) **"Business, Convenience"** means commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to, drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities, and grocery stores, if less than 10,000 square feet in gross floor area. Uses in this classification tend to serve a day-to-day need in the neighborhood.
- (19) **"Business, General"** means commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend, in addition to serving day-to-day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to, such activities as supermarkets, stores that sell hardware, apparel, footwear, appliances, and furniture, department stores, and discount stores.
- (20) **"Business, Highway"** means commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend to serve the motoring public. Highway business uses include but need not be limited to, such activities as service/filling stations, truck and auto sales and service, restaurants, motels and commercial recreation.
- (21) **"Business, Office Type"** means quasi-commercial uses which may often be transitional between retail business and/or manufacturing, and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting. Institutional offices of a charitable, philanthropic, or religious or educational nature are also included in this classification.
- (22) **"Business, Service"** means any profit making activity which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes and businesses.
- (23) **"Business, Wholesale"** means business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

- (24) **"Cemetery"** means land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.
- (25) **"Channel"** means a natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.
- (26) **"Child Day Care"** means administering to the needs of infants, toddlers, pre-school children, and school children outside of school hours by persons other than their parents or guardian, custodians, or relatives by blood, marriage, or adoption for any part of the 24 hour day in a place or residence other than the child's own home.
- The following are child day-care facilities:
- A. **"Child Day-Care Center"** means any facility licensed by the Ohio Department of Jobs and Family Services in which child day-care is provided, with or without compensation, to 13 or more children at any one time, or any place that is not the permanent residence of the licensee or administrator in which child day-care is provided, with or without compensation, for 7 to 12 children at any one time. In counting children for the purposes of this definition, any children under 6 years of age who are related to a licensee, administrator, or employee and who are on the premises shall be counted.
- B. **"Type A Family Day-Care Home"** means a permanent residence of the administrator, licensed by the Ohio Department of Jobs and Family Services, in which child day-care is provided for 4 to 12 children at any one time, if 4 or more children are under 2 years of age. In counting children for the purposes of this definition, any children under 6 years of age who are related to a licensee, administrator, or employee and who are on the premises of the Type A home shall be counted. The term "Type A family day-care home" does not include a residence in which the needs of children are administered to, if all such children are siblings of the immediate family and the residence is their home.
- C. **"Type B Family Day-Care Home"** means a permanent residence of the provider, licensed by the Northwest Ohio Community Action Commission, in which child daycare or child day-care services are provided for one (1) to six (6) children at one time and in which no more than three (3) children may be under 2 years of age at any one time. In counting children for the purposes of this definition, any children under 6 years of age who are related to the provider and are on the premises of the Type B home shall be counted. The term "Type B family day-care home" does not include a residence in which the needs of children are administered to, if all such children are siblings of the same immediate family and the residence is their home.
- (27) **"Clinic (or Medical Center)"** means 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 limited to out-patients only.
- (28) **"Club"** means a building or portion thereof or premises owned or operated by a person or association of persons for some common nonprofit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

- (29) **"Commercial Entertainment Facility"** means any profit making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment activities.
- (30) **"Conditional Use"** means a use permitted within a zoning district other than a principally permitted use, requiring a conditional zoning certificate.
- (31) **"Conditional Zoning Certificate"** means a certificate issued by the Zoning Inspector upon approval by the Planning Commission, to allow a use other than a principally permitted use to be established within a zoning district.
- (32) **"Condominium"** means a building or group of buildings in which units are individually owned but the structure, common areas and facilities are owned on a proportional, undivided basis by all of the owners.
- (33) **"Convalescent Home (or Rest Home)."** (*See Nursing Home.*)
- (34) **"Corner Lot."** (*See Lot Types.*)
- (35) **"Cul-de-Sac."** (*See Thoroughfare.*)
- (36) **"Dead End Street."** (*See Thoroughfare.*)
- (37) **"Density"** means a unit of measurement expressing the number of dwelling units per acre of land.
A. "Gross Density" means the number of dwelling units per acre of the total land to be developed.
B. "Net Density" means the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.
- (38) **"District"** means a part, zone, or geographic area within the municipality within which certain zoning or development regulations apply.
- (39) **"Dwelling"** means any building or structure which is wholly or partly used or intended to be used for living or sleeping by one (1) or more human occupants.
- (40) **"Dwelling, Industrialized Unit"** means an assembly of materials or products comprising all or part of a total structure which, when constructed, is self-sufficient or substantially self-sufficient and when installed, constitutes a dwelling unit, except for necessary preparations for its placement, and including a modular or sectional unit but not a manufactured/mobile home. (*See Factory-Built Housing.*)
- (41) **"Dwelling, Multi-Family"** means a dwelling consisting of 3 or more dwelling units including condominiums with varying arrangements of entrances and party walls. Multi-family housing may include public housing and industrialized units, but not including hotels or motels.
- (42) **"Dwelling, Rooming House (or Boarding House, Lodging House or Dormitory)"** means a dwelling or part thereof, other than a hotel, motel or restaurant where meals and/or lodging are provided for compensation, for three (3) or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.
- (43) **"Dwelling, Single-Family"** means a dwelling consisting of one (1) dwelling unit only, separated from other dwelling units per lot.
- (44) **"Dwelling, Two-Family"** means a dwelling consisting of two (2) dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.
- (45) **"Dwelling Unit"** means space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one (1) family and its household employees.

- (46) **"Easement"** means authorization by a property owner for the use by another, and for a specified purpose of any designated part of his property.
- (47) **"Elderly Household"** means not more than three (3) persons, related or unrelated, who occupy a single dwelling unit, of whom one person is elderly.
- (48) **"Elderly Housing Facility"** means a multiple-unit residential facility which may be licensed by the Ohio Department of Health, where occupancy is restricted to elderly persons or households. Such facility may include personal care service, skilled nursing care, recreational facilities, and provide for independent or semi-independent living. For the purpose of this definition, "elderly housing facility" shall not include adult care facility, assisted living facility, group residential facility or nursing home, which are herein separately defined.
- (49) **"Elderly Person"** means any person who is 62 years of age or older, or any person under 62 years of age who is handicapped such that his physical impairments are of a long-term duration and impede his ability to live independently without a suitable housing environment.
- (50) **"Essential Service"** means the erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground gas, electrical, steam or water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings. (*See Public Service Facility.*)
- (51) **"Factory-Built Housing"** means factory-built housing means a factory-built structure designed for long-term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this definition, "factory-built housing" shall include the following:
 - A. **"Manufactured Home"** means a building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance 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," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable construction and safety standards.
 - B. **"Modular Home"** means a dwelling unit constructed in accordance with the standards set forth in the local building code as applicable to modular housing and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home may consist of two (2) or more sections transported to the site in a manner similar to a manufactured home, or a series of panels or room sections transported on a truck and erected or jointed together on site. Modular homes shall be considered as conventional single-family dwellings and are not regulated as manufactured homes defined above.

- (52) **"Family"** means a person living alone, or two or more persons living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel or hotel, dormitory, fraternity or sorority house, provided, however, that "family" shall not include more than four (4) persons unrelated to each other by blood, marriage or legal adoption, except for Class I Type B group residential facilities. (*See Group Residential Facility.*)
- (53) **"Floodplain"** means land areas, including the flood fringe and the floodway, subject to inundation by the 100-year flood, as shown on the Village of McClure's Flood Insurance Rate Map (FIRM).
- (54) **"Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- (55) **"Floor Area, Gross"** means the sum of the gross horizontal area of each floor intended for occupancy or storage, including basements devoted to residential use, and roofed porches, measured from the exterior face of exterior walls of the principal building.
- (56) **"Floor Area, Minimum"** shall consist of areas such as living room, bedroom, bathroom, dining room, rooms for cooking, den, library, and family rooms, but shall not include areas such as porches, breezeways, terraces, basement recreation rooms, utility rooms, garages and basements.
- (57) **"Garage, Private"** means a building or part thereof accessory to a principal building and providing for the storage of motor vehicles and other household materials, supplies, tools and equipment, in which no occupation or business for profit is carried on other than that conditionally permitted under home occupation, and not reducing the storage of that number of vehicles for which such garage was designed.
- (58) **"Garage, Public"** means a principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles, and which not-for-profit service station activities may be carried on.
- (59) **"Garage Sales"** means the conducting of a sale, including yard sales, porch sales, barn sales, or any other activity in which merchandise is sold, on private property which has not been designated as a business.
- (60) **"Garage, Service Station"** means buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail, and where in addition, the following services may be rendered and sales made:
- A. Sales and service of spark plugs, batteries, and distributor parts;
 - B. Tire servicing and repair, but not recapping or regrooving;
 - C. Replacement of mufflers and tail pipes, water hose, fan belts-brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease containers, wheel bearings, mirrors, and the like;
 - D. Radiator cleaning and flushing;
 - E. Radiator welding and repair;
 - F. Greasing and lubrication;
 - G. Providing and repairing fuel pumps, oil pumps, and lines;
 - H. Minor servicing and repair of carburetors;
 - I. Adjusting and repairing brakes;

- J. Minor motor adjustment not involving removal of the head or crankcase or racing the motor.
 - K. Washing, polishing and cleaning of vehicle's exterior and interior body;
 - L. Sales of drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principal operations;
 - M. Provisions of road maps and other informational material to customers, provision of restroom facilities;
 - N. Warranty maintenance and safety inspections.
- Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operational condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations. (*See Automotive Repair/Wrecking.*)
- (61) **"Garden Apartment Development"** means an architectural and functional grouping of dwelling units which may include townhouses, row houses, terrace apartments and other structures similar in character and density to such development.
- (62) **"Group Home Residential Facility"** means a group residential facility is a community residential facility licensed by the State of Ohio, which provides rehabilitative or residential care services. For the purpose of this definition, "group residential facility" shall not include adult care facility, assisted living facility, elderly housing facility or nursing home, which are herein separately defined. There are two classes of group residential facilities.
- A. Class I: Any dwelling or place used as a foster home for children or adults, or as a home for the care or rehabilitation of dependent or pre-delinquent children, for the physically handicapped or disabled, or for those with mental illness or developmental disabilities. A Class I Type A group residential facility contains six (6) or more residents, exclusive of staff. A Class I Type B group residential facility contains five (5) or less residents, exclusive of staff.
 - B. Class II: Any dwelling or place used as a home for juvenile offenders; a halfway house providing residential care or rehabilitation for adult offenders in lieu of institutional sentencing; a halfway house providing residence for persons leaving correctional institutions; and residential rehabilitation centers for alcohol and drug abusers, provided that detoxification is expressly prohibited on such premises. A Class II Type A group residential facility contains six (6) or more residents, exclusive of staff. A Class 1 Type B group residential facility contains five (5) or less residents, exclusive of staff.
- (63) **"Home Occupation"** means an accessory use which is an activity, profession, occupation, service, craft, or revenue-enhancing hobby carried on by the inhabitant(s) thereon, which is clearly incidental and subordinate to the use of the premises as a dwelling, and is conducted entirely within the dwelling unit, or elsewhere on the premises, without any significant adverse effect upon the surrounding neighborhood.

- (64) **"Hospital"** means an establishment which provides accommodations, facilities, and services over a continuous period of 24 hours or more, for observation, diagnosis, and care of two (2) or more individuals suffering from illness or injury, or from any condition requiring obstetrical, medical or surgical services.
- (65) **"Hotel"**. (*See Motel.*)
- (66) **"Industrial Park"** means a tract of land subdivided and developed according to a comprehensive plan for the use of a community of industries and containing a minimum of one (1) street designed solely to provide access to industrial establishments located upon it.
- (67) **"Junk"** shall have the same meaning as "solid wastes" in the Ohio Revised Code.
- (68) **"Junk Building (or Junk Shop or Junk Yard)"** means any land, property, structure, building, or combination of the same on which junk is stored or processed. "Junk" shall include, but not limited to, the following: used or salvaged metals, rubber, lumber, millwork, brick, glass, or dismantled or broken machinery and equipment.
- (69) **"Kennel"** means any lot or premises on which four (4) or more domesticated animals more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold and which offers provisions for minor medical treatment.
- (70) **"Loading Space"** means an off-street loading space or berth on the same or adjoining lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials. All off-street loading spaces shall be located totally outside of any street or alley right-of-way, but shall abut upon such right-of-way. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.
- (71) **"Lot"** for the purposes of this Ordinance, is a parcel of land whose boundaries have been established by some legal surveyed instrument, which shall be of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street or access easement.
- (72) **"Lot Area, Gross"** means the total horizontal area within the boundaries of a lot.
- (73) **"Lot Area, Minimum (Net)"** means that area of a lot computed exclusive of any portion of the right-of-way of any public or private street or access easement.
- (74) **"Lot Coverage"** means the total ground area of a lot, expressed as a percentage of the lot area, that is covered, occupied or enclosed by principal and accessory buildings or structures.
- (75) **"Lot, Depth Of"** means the mean horizontal distance between the front lot line and the rear lot line of a lot, measured in the general direction of the side lot line.
- (76) **"Lot Frontage"** means the horizontal distance of a lot measured along the front lot line, between side lot lines.
- (77) **"Lot Line, Front"** means that boundary of a lot which abuts the right-of-way of any public or private street or access easement.

- (78) **"Lot Line, Rear"** means that boundary of a lot which is most distant from, and is or is most nearly parallel to the front lot line.
- (79) **"Lot Line, Side"** means any boundary of a lot which is not a front lot line or a rear lot line.
- (80) **"Lot of Record"** means a lot which is part of a subdivision recorded in the office of the Recorder of Henry County, or a lot or parcel established by some legal surveyed instrument by metes and bounds, the deed to which has been so recorded.
- (81) **"Lot Type."** Terminology used in this Ordinance with reference to corner lots, interior lots, through lots and reversed frontage lot is as follows:
- A. **"Corner Lot"** means a lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.
 - B. **"Interior Lot"** means a lot with only one (1) frontage on a street.
 - C. **"Through Lot"** means a lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as "double frontage lots".
 - D. **"Reversed Frontage Lot"** means a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
- (82) **"Lot, Width Of"** means the horizontal distance between the side lot lines of a lot, measured along the building setback line. (*See Building Setback Line.*)
- (83) **"Major Thoroughfare Plan"** means the portion of the comprehensive plan duly adopted by the McClure Village Planning Commission/Henry County Planning Commission indicating the general location recommended for arterial, collector and local thoroughfares within the appropriate jurisdiction. (*See Thoroughfare.*)
- (84) **"Manufactured Home Park"** means any tract of land upon which three or more manufactured or mobile homes used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of the park.
- (85) **"Manufacturing, Extractive"** means any mining, quarrying, excavating processing, storing, separating, cleaning, or marketing of any mineral natural resource.
- (86) **"Manufacturing, Heavy"** means manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary.
- (87) **"Manufacturing, Light"** means manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.

- (88) **"Mobile Home"** means 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 three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home or a industrialized unit as defined in the Ohio Revised Code.
- (89) **"Motel"** means a building or group of buildings, consisting of individual sleeping units, in which lodging is provided and offered to the public for compensation, designed primarily for transient automobile travelers, and providing for accessory off-street parking facilities.
The term "motel" includes hotel, auto court, motor court, tourist court or similar buildings/structures that are designed as integrated units of individual rooms under common ownership. For the purpose of this definition, "motel" shall not include dwelling, rooming house, which is herein separately defined.
- (90) **"Nonconformity"** means lots, uses of land, structures, and uses of structures and land in combination lawfully existing at the time of enactment of this Ordinance or its amendments which do not conform to the regulations of the district in which they are situated, and are therefore incompatible.
- (91) **"Nursing Home (or Convalescent or Rest Home)"** means an institution, residence or facility licensed by the Ohio Department of Health, that is designed for the reception and care of three (3) or more unrelated individuals who by reason of illness or physical or mental impairment require personal care service and/or skilled nursing care. For the purpose of this definition, "nursing home" shall not include adult care facility, assisted living facility, elderly housing facility, or group residential facility, which are herein separately defined.
- (92) **"Open Space"** means an area of land which is in its natural state, or is developed only for the raising of agricultural crops, or for public outdoor recreation.
- (93) **"Ornamental Ponds"** means a decorative water feature, less than 1.5 feet in depth, which consists of aquatic animals or plants, and is maintained by the owner in a landscaping scheme.
- (94) **"Overlay District"** means a district described by the zoning map within which, through super imposition of a special designation, furthermore regulations and requirements apply in addition to those of the underlying districts to which such designation is added.
- (95) **"Parking"** means the temporary holding of a vehicle for a period longer than required to load or unload persons or goods.
- (96) **"Parking Space, Off-Street"** means for the purpose of this Ordinance, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.
- (97) **"Performance Bond (or Surety Bond)"** means an agreement by a subdivision developer or developer with the Village of McClure for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivision agreement.
- (98) **"Permanent."** *See Interpretation of Words and Terms.*

- (99) **"Personal Care Service"** means service that includes, but not limited to, assisting individuals with activities of daily living, self-administration of medication, and preparing special diets.
- (100) **"Planned Unit Development (PUD)"** means an area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.
- (101) **"Principal Permitted Use"** means a use which is permitted outright in a district for which a zoning certificate may be issued by the Zoning Inspector in accordance with the provisions of this Resolution.
- (102) **"Public Service Facility"** means the erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services. (*See Essential Service.*)
- (103) **"Public Use"** means public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.
- (104) **"Quasi-Public Use"** means churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable philanthropic, or non-profit nature.
- (105) **"Recreation Camp"** means an area of land on which 2 or more travel trailers, campers, recreational vehicles (RVs), tents or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.
- (106) **"Recreation Facility"** means public or private facilities that may be classified as either "extensive" or "intensive" depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include: but need not be limited to, miniature golf courses, amusement parks, stadiums, community swimming pools and bowling alleys.
- (107) **"Research Activity"** means 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 of said building.

- (108) **"Right-of-way"** means a strip of land taken 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.
- (109) **"Roadside Stand"** means permanent or temporary structure designed, arranged or used for the display and sale of agricultural and related products. (*See Wayside Stand.*)
- (110) **"Satellite Signal Receiver"** means "Dish-type satellite signal-receiving antennas," "earth stations" or "ground stations," whether functioning as part of a basic service system, direct broadcast satellite system, or multi-point distribution service system, shall mean one or a combination of two or more of the following:
- A. A signal-receiving device such as a dish antenna whose purpose is to receive communications or signals from earth orbiting satellites or similar sources.
 - B. A low-noise amplifier (LNA) whose purpose is to boost, magnify, store, transfer or transmit signals.
 - C. A coaxial cable whose purpose is to convey or transmit signals to a receiver.
- (111) **"Setback Line"** means a line established by this Ordinance generally parallel with and measured perpendicular from the respective lot line, defining the limits of a yard in which no structure may be located above ground, except as may be provided by this Ordinance. (*See Yard.*)
- (112) **"Sewer, On-Site"** means a septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent.
- (113) **"Sign"** means any visual communication display, object, device, graphic, structure, or part, situated indoors or outdoors, or attached to, painted on, or displayed from a building or structure, in order to direct or attract attention to, or to announce or promote, an object, person, service, product, event, location, organization or the like, by means of letters, words, designs, colors, symbols, fixtures, images or illuminations.
- (114) **"Skilled Nursing Care"** means procedures that require technical skills and knowledge beyond those the untrained person possesses and that are commonly employed in providing for the physical, mental and emotional needs of the ill or otherwise incapacitated. "Skilled nursing care" shall include, but not limited to, irrigations, catheterization, application of dressings, supervision of special diets, administration of medication by any method ordered by a physician, and carrying out other treatments prescribed by a physician that involve a similar level of complexity and skill in administration.
- (115) **"Street, Private"** means a thoroughfare which affords principal means of access to abutting property, but which has not been deeded to the public. (*See Thoroughfare.*)

- (116) **"Street, Public"** means a public thoroughfare which has been dedicated or deeded to the public for public use and accepted by McClure Village Council, and which affords principal means of access to abutting property. (*See Thoroughfare.*)
- (117) **"Story"** means the vertical distance from the top surface of one floor to the top surface of the next above. The height of the topmost story is the distance from the top surface of the floor to the top surface of the ceiling joists. (*See Basement.*)
- (118) **"Structure"** means anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured/mobile homes, walls, fences and billboards.
- (119) **"Subdivision"** means the division of a lot, tract or parcel into two (2) or more lots, tracts, or parcels or other divisions of land for sale, development, or lease.
- (120) **"Supply Yard"** means a commercial establishment storing and offering for sale building materials.
- (121) **"Swimming Pool"** means a permanent pool, pond or lake containing at least one and one-half (1.5) feet of water at any point and maintained by the owner or manager, and designated as either of the following:
- A. "Private" means exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development, or a community, the members and guests of a club, or the patrons of a motel or hotel, and shall be an accessory use.
 - B. "Community" means operated with a charge for admission and shall be a primary use.
- (122) **"Tank Storage"** means in reference to petroleum, chemical and liquid gas storage.
- (123) **"Telecommunication Facility"** means a facility that transmits and/or receives electromagnetic signals. This includes, but is not limited to, antennas, microwave dishes, horns, wireless services, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking area, and other accessory development.
- (124) **"Thoroughfare, Street, or Road"** means the full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:
- A. "Alley" means a minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
 - B. "Arterial Street" means a general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
 - C. "Collector Street" means a thoroughfare, whether within a residential, industrial, commercial, or other type of development, which is primarily for through traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
 - D. "Cul-de-Sac" means a local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.

- E. "Dead-end Street" means a street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
 - F. "Local Street" means a street primarily for providing access to residential or other abutting property.
 - G. "Marginal Access Street" means a local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets.
- (125) "Use" means the specific purposes for which land or a building(s) is designated, arranged, intended, or for which it is or may be occupied or maintained.
 - (126) "Variance" means a modification of the strict terms of the relevant regulations where such modification 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 the regulations would result in unnecessary and undue hardship.
 - (127) "Veterinary Animal Hospital/Clinic" means a place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.
 - (128) "Wayside Stand" means a temporary structure designed, arranged or used for the display or sale of agricultural or other related products grown or produced on the premises upon which such stand is located. (*See Roadside Stand.*)
 - (129) "Yard" means a required open space unoccupied and unobstructed by any structure or portion of a structure from the ground level of the graded lot upward. Walls, fences, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.
 - (130) "Yard, Front" means a yard extending between side lot lines across the front of a lot and from the front lot line to the nearest portion of any structure existing or to be constructed. Where the street right-of-way is not established it shall be assumed to be 60 feet.
 - (131) "Yard, Rear" means a yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the nearest portion of any structure existing or to be constructed.
 - (132) "Yard, Side" means a yard extending from the nearest portion of any structure existing or to be constructed to the side lot line on both sides of the structure, and between the lines establishing the front and rear yards.
 - (133) "Zoning Certificate" means a document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.
 - (134) "Zoning District." (*See District.*)
 - (135) "Zoning Inspector" means the person designated by the McClure Village Council to administer and enforce zoning regulations and related Ordinances.