INTRODUCTION

ZONING RESOLUTION FOR AUSTINTOWN TOWNSHIPMAHONING COUNTY, OHIO

Whereas, the Board of Trustees of Austintown Township, Mahoning County, Ohio, has deemed it necessary to promote the public health, safety, morals, and general welfare for the residents of said Township; and,

Whereas, a Zoning Resolution for the building and land use within the unincorporated territory of the Township was adopted in 1948, in accordance with Section 519.10 and related sections of the OHIO REVISED CODE; and,

Whereas, five (5) persons have been duly appointed by the Board of Trustees of Austintown Township to serve as a Zoning Commission for said Township; and,

Whereas, said Zoning Commission has recommended the complete revision of the Austintown Township Zoning Resolution and Official Zoning Map, and have submitted such amendments and map to the Board of Trustees of Austintown Township under the authority and in accordance with the provisions of Section 519.12 of the OHIO REVISED CODE on August 23, 2010.

Therefore, the Board of Trustees of Austintown Township did adopt the amendments to the Zoning Resolution and Map on August 23, 2010, under the authority and in accordance with the provisions of the OHIO REVISED CODE and said amendments became effective on September 22, 2010.

PURPOSE

Pursuant to Ohio Revised Code Chapter 519, the Austintown Township Board of Trustees hereby adopts this Resolution for the purposes stated within Ohio Revised Code Section 519.02, as follows:

For the purpose of promoting the public health, safety, and morals, the Board of 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 which 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 such Township, and for such purposes may divide all or part of the unincorporated territory of the Township into districts or zones of such number, shape, and area as the Board determines. All such resolutions shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the resolutions in one district or zone may differ from those in other districts or zone.

DISTRICTS CREATED

The Austintown Township Board of Trustees accepts and adopts as a part of this resolution, the Zoning Map of Austintown Township, which shall be drawn to scale and shall clearly define the boundaries of the following districts which shall be established within this resolution:

AGRICULTURAL-SUBURBAN ESTATE (A-SER)

To protect the decreasing supply of prime agricultural land and open space and to permit a degree of low density single family dwellings.

RESIDENCE R-1

To encourage the establishment of low density single family dwellings.

RESIDENCE R-2

To permit the establishment of medium density one and two family dwellings.

RESIDENCE R-3

To permit the establishment of medium density multiple family dwellings.

RESIDENCE R-4

To encourage the development of mobile home parks in a well-planned environment.

BUSINESS B-1

To encourage the establishment of professional, administrative, clerical and similar uses which have no retail trade on the premises.

BUSINESS B-2

To encourage the establishment of areas for general business uses to meet the needs of a regional market area.

BUSINESS B-3

To encourage the establishment of limited pocket areas for small convenience business which are intended to meet the daily needs of the residents of an immediate neighborhood.

INDUSTRIAL I-1

To encourage the development of establishments for light industrial, storage and warehousing.

INDUSTRIAL I-2

To encourage the development of major manufacturing, processing, warehousing and major research and testing operations.

PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

To promote progressive development of land and construction thereon by encouraging a maximum of living environments by allowing a variety of housing and building types.

ZONING DISTRICTS MAP

The districts and their boundary lines are indicated upon a map entitled "ZONING MAP OF AUSTINTOWN TOWNSHIP", Mahoning County, Ohio, herein after referred to as the "Zoning Map". Said Zoning Map is incorporated herein by reference and made a part of this Resolution as if fully rewritten herein. The said Zoning Map, together with all notations, references, and other matters shown thereon are hereby declared a part of this resolution. If changes are made in district boundaries or other matter portrayed on the Zoning Map, such changes shall be entered on the Zoning Map on the effective date of the amendment.

INTERPRETATIONS

Except when otherwise indicated by dimensions or fixed boundaries shown on the Zoning Map, the depth of residential and business frontage is established for the purposes of this ordinance at one-hundred fifty (150) feet. Where a district boundary line divides a lot in a single ownership, existing at the time of enactment of this ordinance, the use authorized on, and the district requirements of the least restrictive portion of such lot shall be construed as extending to the entire lot, provided that such extension shall not include any part of the lot which is more than fifty (50) feet from the district boundary line.

An entrance or drive shall not be used for any purpose zoned differently than the property through which it might pass through.

Nothing in the following provisions, or in the entire ordinance shall prevent the use of any land for the following, providing the yard, area and height requirements for the district are met; however, a zoning permit shall be issued, and a fee paid where applicable, for all structures incidental to these uses:

Agricultural purposes or the construction or use of building or structures incidental to the use for agricultural purposes of the land on which such buildings or structures are located;

Governmental and Public buildings including public parks, public schools, public libraries and all buildings and lands used for function of governmental agencies;

Public Service Facility (Public Utility) - 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 governmental agency which furnishes electrical, gas, rail transport, communications and public water and sewage service.

ARTICLE I - DEFINITIONS

ABANDONED MOTOR VEHICLE - Any motor vehicle or accessory to same, which is dismantled or stored in a yard area, and which does not have a current valid license thereon.

ACCESS DRIVEWAY - An entrance or exit from a public thoroughfare to any business, business/commercial or industrial complex, or multi-dwelling structure.

ACCESSORY BUILDING - A subordinate building, the use of which is customarily incidental to that of the main building, and which is located on the same lot or parcel of land.

ACCESSORY USE - A gainful occupation or use, not otherwise contrary to law, customarily incidental to the use of building for dwelling purposes.

ACRE - Land area, equal to 43,560 square feet, measured on the horizontal plane, and including land occupied by all natural and man-made features of the landscaping.

AGRICULTURE - The use of land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture and animal and poultry husbandry. The above uses shall not include the feeding or sheltering of animals, exclusive of domesticated household pets, within one hundred (100) feet of an adjacent residential dwelling.

AIRPORT - Any runway, land area or other facility designed or used whether publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangers and other necessary building and open spaces.

ALTERATION OF BUILDING - Any change in supporting members of a building except such changes as may be required for its safety; any addition to a building, any change in use from one district classification to another, or removal of a building from one location to another.

ANIMAL HUSBANDRY - The keeping or raising of domestic animals incidental to the use of land for agricultural purposes permitted under the above definition of agriculture.

AUTOMOBILE SERVICE STATION - A place where gasoline, kerosene, or any other motor fuel or lubricating oil or grease is offered for sale to the public or deliveries are made directly into motor vehicles.

AUTOMOBILE WRECKING YARD - The use of more than twenty-five (25) square feet of any land, building or structure for the purpose of wrecking, dismantling, or storing, for private and/or commercial purposes, any unlicensed motor vehicle or various parts thereof.

BANNER SIGN - A sign made of fabric or any non-rigid material with no enclosing framework.

BASEMENT - A story, any wall of which, is all or partially below the ground level of the adjoining ground.
BILLBOARD - Same as "Outdoor Advertising Sign".
BOARDING HOUSE OR ROOMING HOUSE - A dwelling, other than a hotel, wherein more than three (3) people are sheltered or fed for profit.
BOARDING AND TRAINING KENNELS - Any lot or premises used for the boarding and/or training of domesticated animals, other than the animals owned by the person residing on the premises.
BUFFERING - An area that is established on a parcel of land for the purpose of promoting the health, safety and general welfare; and to further protect the aesthetic values of adjoining property.
BUILDING, FRONT LINE OF - The line of the foundation of the building nearest the front line of the lot. This foundation line includes enclosed sun parlors and enclosed porches, but excludes unenclosed porches.
BUILDING, HEIGHT OF - The vertical distance measured from the highest ground elevation at the structure to the highest point of the structure, excluding chimneys, vent stacks, satellite earth station dishes, and antennae.
CARPORT - A covered automobile parking space not completely enclosed by walls or doors. A carport shall be subject to all provisions prescribed in these Resolutions for a private garage or accessory building.
CEMETERY - 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.
CENTER LINE OF STREET - A line midway between and parallel to the two (2) street or property lines.
CERTIFICATE OF OCCUPANCY (OCCUPANCY PERMIT) - A required certificate to be obtained from the Zoning Inspector before the occupancy or change of occupancy for any use permitted in Austintown Township.
CLINIC - A place used for the care, diagnosis and treatment of sick, ailing infirm, or injured persons, and those who are in need of medical and surgical attention who may be provided with board or room or kept overnight on the premises.
CLUB - A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational or recreational purpose, primarily for the exclusive use of members and their guests.
COMMERCIAL ENTERTAINMENT FACILITIES - Any profit making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, night clubs, cocktail lounges and similar entertainment activities.
COMMERCIAL VEHICLE - Any vehicle utilized in a business or profit making venture designed to carry materials and/or personnel, such as but not limited to a van, a pickup truck, a stakebodied truck or such similar vehicle used for business purposes.
COMMON OPEN SPACE - A parcel of land or area of water intended for the use and enjoyment of the occupants of a PUD. It may contain structures and improvements appropriate for the use and enjoyment of the occupants.
CONDITIONAL USE - A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Permit for said use to be issued by the Zoning Inspector when approved by the Board of Zoning Appeals.
CONDOMINIUM - 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, in accordance with ORC Section 5311.01.

CORNER LOT - A lot located at the intersection of two 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 one hundred thirty-five (135) degrees.
CUL-DE-SAC - An enlarged area of any street intended to be used for the turning of emergency and/or other vehicles. Usually located at the end of a street or at the intersection of two streets.
DAY CARE - Ministering to the needs of persons other than by their children, parents, guardians, custodians, or relatives for any part of the twenty-four hour day, in a place other than the persons own home, in accordance with ORC Section 5104.01 et seq.
DENSITY - A measurement expressing the number of units per parcel of land.
DIRECTIONAL SIGN - An on-premises sign giving directions, which may contain the name or logo of an establishment, but no advertising copy.
DISTRICTS - A part, zone, or geographic area within Austintown Township within which certain zoning or development regulations apply.
DRIVEWAY - A hard surfaced access route that leads from a public thoroughfare to a dwelling unit, garage or parking area.
DUMP - Land used for the disposal by abandonment, dumping, burial, burning or any other means, and for whatever purpose of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.
DWELLING - Any building or structure (except a house trailer or mobile home) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.
DWELLING UNIT - 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 family and its household employees.
DWELLING - SINGLE FAMILY - A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.
DWELLING - TWO FAMILY - A dwelling consisting of two 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.
DWELLING - MULTI-FAMILY - A dwelling consisting of three (3) or more dwelling units, including condominiums, with varying arrangements of entrances and party walls.
DWELLING - ROOMING HOUSE - (Boarding House-Lodging House-Dormitory) - A dwelling or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation for more than three (3) unrelated persons where no cooking or dining facilities are provided in the individual rooms.
DWELLING - FRONT SET BACK - The front foundation wall of a dwelling shall be set back and placed parallel to the front line of the lot.
EFFECTIVE DATE - The date that these resolutions or any subsequent revisions take effect.
ENTRANCE - The terminus of any access driveway or driveway which intersects with a dedicated public right-of-way or non-dedicated private drive.
EXPOSED STORAGE (VEHICLES):A vehicle stored in an exposed manner shall include any motor vehicle stored in a yard area, within plain view or covered, not stored within a garage or building.
FAMILY - One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption or marriage, no such family shall contain over three (3) persons.
FESTOONS - A piece of fabric with a distinctive design or advertisement used to attract attention to a business or permitted use.

FLOOR AREA - The sum of the gross horizontal areas of the one or several stories of a building, measured from the exterior faces of exterior walls or from the centerline of common walls separating two (2) buildings or sections of buildings. Floor area, for the purposes of these resolutions, shall not include unfinished basements, elevators, attic spaces, terraces, breezeways, open porches, decks, uncovered steps, and/or garages.

FRONT YARD - The space between the building line or front main wall of a building, exclusive of open porches, and the front property line.

GOVERNMENT SIGN -Any temporary or permanent sign erected and maintained by the township, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, public service, property or facility.

GOVERNMENTAL AND PUBLIC BUILDINGS - Public parks, public schools, public libraries and all buildings and lands used for the functions of governmental agencies.

HALF-STORY - A half-story as applied to dwellings shall consist of living quarters above the first floor, containing not less than one-half of the area of the floor area below measured between knee walls of not less than four (4) feet in height, and with a main ceiling height of seven feet in the center section.

HEAVY EQUIPMENT - Equipment used for business purposes, including vehicles such as cranes, backhoes, bulldozers, earth-moving equipment, power shovels and related equipment; and fixed equipment used for business purposes such as a press or other such production machinery and related items used for business purposes.

HOME OCCUPATION - Any use or profession customarily conducted entirely within a dwelling and carried on only by the inhabitants thereof, which use is clearly incidental, and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

HOSPITAL - Any building or other structure containing beds for at least four (4) patients and devoted to the medical diagnosis, treatment, or other care of human ailments.

HOTEL - A building in which lodging, or boarding and lodging are provided for five (5) or more guest rooms and offered to the public for compensation. Ingress and egress to and from all rooms shall be provided through an inside lobby.

INSTITUTIONS - Buildings and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative, counseling or other correctional services; a place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons who are in need of medical and surgical attention such as hospitals, clinics, and nursing homes.

JUNK YARD - Any land, property, structure, building, or combination of the same, on which worn out, dismantled, or inoperative vehicles or parts are collected for use or sale, including old machinery, appliances, equipment and various types of metals or other solid material.

LANDSCAPING - As pertaining to a buffer zone, shall include living, perennial plantings at least six (6) feet high, forming an obstruction of vision. This planting shall conform to the restrictions at an intersection described elsewhere.

LIVABLE FLOOR AREA, MINIMUM - The sum of the net areas customarily used as living space. This area shall not include a basement, garage, open porch, deck, and/or uncovered steps.

LOADING SPACE/DELIVERY AREA - An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a vehicle while loading or unloading merchandise or materials. Required off-street loading space is not to be included in computation of required off-street parking spaces. All off-street loading spaces shall be located totally outside of any street right-of-way.

LOT - A parcel of land occupied by, or which may be occupied by, a building and accessory buildings and including the yards and other open spaces required by this

ordinance or the land shown as a separate lot or parcel on the records of Mahoning County.

LOT AREA - The computed area contained within the lot lines. Where the lot has been conveyed to the center of the street, the area of the lot between such centerline and the established street right-of-way shall not be included as part of the area for the purpose of these resolutions.

LOT LINES - The property lines defining the limits of a lot.

LOT LINE, FRONT - The line separating a lot from the street right-of-way on which the lot fronts. On a corner lot, the lot lines on both streets shall be considered as front lot lines.

LOT LINE, REAR - The lot line most distant from the front lot line and most nearly parallel to it.

LOT LINE, SIDE - Any lot line other than a front or rear lot line.

LOT, WIDTH - The distance from one side lot line to the other measured at the front property line. On a corner lot, the width shall be measured parallel to the primary street lot line. A lot on a curvilineal street or on a cul-de-sac has a minimum width measured as a chord to the curved front lot line.

MINERALS - Sand, gravel, clay, shale, gypsum, halite, limestone, dolomite, sandstone, other stone, metalliferous, or non-metalliferous ore, other mineral or substance of commercial value excavated in a solid state from natural deposits on or in the earth, but does not include coal, peat, or top soil.

MINIMUM LOT AREA - The minimum area of a lot as defined in these resolutions or as superseded by Mahoning County Planning Commission regulations or laws of the State of Ohio.

MINIMUM SETBACK LINE (FRONT YARD) - A line equidistant from the street right-of-way line, at a distance prescribed in each district, denoting the front edge of the allowable building area, and extending across the full width of the lot.

MOBILE HOME - Any non-self-propelled structure transportable in one or more sections which, when placed on a site has six hundred (600) or more square feet in livable square floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

MOBILE HOME LOT - The portion of a mobile home park designed for the use or occupancy of one mobile home.

MOBILE HOME PARK - A tract of land used for the parking of mobile homes together with the necessary improvements and facilities upon the land.

MORTUARY - A place, especially a funeral home, where dead bodies are kept prior to burial or cremation.

MOTEL - A building or group of buildings, used for sheltering of transients, and which may include such accessory uses as restaurants, newstands, and gift shops.

MOTOR HOME - Any self-propelled motor vehicle, readily movable, with a basic purpose of providing temporary housing at various locations.

NAMEPLATE - A non-electric on-premise identification sign giving only the name, address and/or occupation.

NON-CONFORMING USE - Any building or land lawfully occupied by a use on the effective date of these resolutions or any amendment or supplement thereto, which does not conform to the use resolutions of the district in which it is situated.

OPEN PORCH - A porch open on three (3) sides except for wire screening. A porch shall not be considered open if enclosed by either permanent or detachable glass sash, or an enclosed railing more than three (3) feet in height.

OPEN SPACE - The portion of a lot, not covered by a building area, open to the sky. It may include drives, walkways, landscaping, fences and objects not defined under building area.

OFF-PREMISE SIGN - A sign advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located.

ON-PREMISE SIGN - A sign which pertains to the use of the premises on which it is located.

OUTDOOR ADVERTISING SIGN - A fixed or portable appliance, structure, or surface, including the supporting structure made necessary thereby, which is, or is to be erected upon the ground, or wall of a building or above the roof of a building and which is used, erected, intended and/or designed to be used for the public display of posters, painted displays, electrical displays, pictures or other pictorial or reading matter, for the benefit of a person, organization, business, or cause not residing or located on the lot, on the building or on a lot adjoining the lot or building where said appliance, structure, or surface is, or is to be located. An outdoor advertising sign shall include: any cloth, card, paper, metal, painted glass, wood, plaster, stone, or other sign of any kind or character whatsoever, placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term "placed" as used in the definition of "Outdoor Advertising Sign" and "Outdoor Advertising Structure" shall include: erecting, constructing, posting, painting, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever.

PARK (TO PARK) - The stoppage of any automobile, jeep, van, truck, trailer or motor home (recreational vehicle), with the intent of permitting any of these to remain standing on a parcel of property for a period of time less than seventy-two (72) hours.

PARKING SPACE–OFF-STREET - An area no less than 10' x 20'; exclusive of access thereto, designated for the parking of automobiles and located totally outside of any street right-of-way.

PLANNED UNIT DEVELOPMENT (PUD) - A development in which lot size, yard areas and building placement may be varied to create a harmonious blend of residential and/or business and industrial uses, and providing for open spaces and common uses.

PLAT - A map, or layout of a city, town, section or subdivision, indicating the location and boundaries of individual properties, same having been recorded.

POLITICAL SIGN - A temporary sign used in connection with a local, state, or national election, or referendum.

PORTABLE SIGN - A temporary sign designed to be moved easily.

PRIVATE GARAGE - A detached accessory building or portion of a principal building for the parking or temporary storage of automobiles, boats and/or trailers of the occupants of the premises and wherein:

1. Not more than one space is rented for parking to a person not residing on the premises;
2. No more than one commercial vehicle per dwelling unit is parked or stored;
3. Repair work is limited to the normal maintenance of vehicles owned by the person or persons residing on the premises.

PROPERTY LINE - A boundary line dividing one parcel of land from another.

PUBLIC BUILDINGS - Any structure owned and operated by a governmental agency, library, public school, or a school which is certified by the State of Ohio.

PUBLIC GARAGE - A garage conducted as a business. The rental of storage space for two (2) or more cars not owned by persons residing on the premises shall be deemed a business use.

PUBLIC SERVICE FACILITY (PUBLIC UTILITY) - 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 government agency, including the furnishing of electrical, gas, rail transport, communications, public water and sewage service.

QUASI-PUBLIC BUILDINGS OR USES - Churches, Sunday schools, parochial schools, colleges, hospitals and other facilities of an educational, religious, charitable, philanthropic or non-profit nature.

REAL ESTATE SIGN -A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

REAR YARD - An open space between the rear wall of the building and the rear line of the lot, and unoccupied except for accessory buildings, including among others, either attached or detached garages and open porches.

RECREATION AREA AND USES - Buildings and/or lands, other than public buildings and uses, that as a general rule require and utilize considerable areas of land and include but not limited to hunting, fishing, swimming, riding and stable facilities, parks, golf courses, amusement parks, private clubs, stadiums, camp parks and overnight parks for travel trailers, tent trailers, etc.

RECYCLING CENTER - A facility for the collection of products such as paper, glass, plastic and metals intended for reprocessing or recycling.

REFUSE - Discarded or waste materials which do not include garbage or foodstuffs in any form.

ROADSIDE STAND (FARM MARKET) - A temporary vehicle or temporary stand without foundation used for the sale of agricultural produce where fifty percent (50%) or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year, in accordance with ORC Section 519.21, as amended June, 1982.

ROW HOUSES - Three or more attached houses in a row with party walls.

SANITARY LANDFILL - A disposal site employing a method of disposing of solid waste in accordance with the current ORC regulations.

SET-BACK - The horizontal distance from the front line to the front edge of the allowable building area.

SEXUALLY ORIENTED BUSINESS - A sexually oriented business is one which is designed and used to sell, rent or show sexually explicit materials, to display nude bodies or one which is distinguished or characterized by an emphasis on "Specified Sexual Activities" or "Specified Anatomical Areas" as defined in Article XIX of this Resolution, particularly but not exclusively, defined as meaning an adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, or massage parlor.

SIDE YARD - An open unobstructed space on the same lot with a building, between the building and the side line of the lot, and extending through from the front to the rear yard, into which space there is no extension of building parts other than open porches or carports completely open on three (3) sides, rain water leaders, window sills, and other such fixtures, chimneys, open steps and bay windows, not more than twelve (12) feet wide, and one (1) floor level only, and for a distance not to exceed two (2) feet.

SIGN - Any structure, whether fixed or portable, or natural object, such as a tree, rock, bush, and the ground itself, or part thereof, or device attached thereto or painted or represented thereon, which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business or which shall display or include any letter, work, banner, flag, pennant, insignia, device, or representation used

as, or which is in the nature of an announcement, direction, or advertisement. For the purpose of these regulations, the word sign does not include the flag, pennant, badge, or insignia of any governmental agency or charitable, religious, educational, or similar organization.

STORE (TO STORE) - The stoppage of any automobile, jeep, van, truck, trailer or motor home (recreational vehicle), with the intent of permitting any of these to remain standing on a parcel of property for a period of time longer than seventy-two (72) hours.

STORY - That part of a building included between any floor and or roof next above. When applying to the permissible height of buildings, the term story shall not include a basement if the basement is not designed for living quarters and if the ceiling thereof is not more than four (4) feet above the average ground level.

STREET, PRIVATE - A thoroughfare which affords principal means of access to abutting property, but which has not been dedicated to the public, or subject to the public easements.

STREET, THOROUGHFARE OR ROAD - The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designed as follows:

1. **ALLEY** - A minor street used primarily for vehicular service access to the back or side of properties abutting on another street;
2. **ARTERIAL STREET** - A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous street;
3. **COLLECTOR STREET** - A thoroughfare, whether within a residential, industrial, business or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions;
4. **CUL-DE-SAC** - A local street of relatively short length, with one end open to traffic and the other end terminating in a vehicular turnaround;
5. **DEAD-END STREET** - A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future;
6. **LOCAL STREET** - A street primarily for providing access to residential or other abutting property.

STRIP MINING - All or any part of the process following in the removing of minerals, coal, peat, sand, gravel, clay, shale, limestone or sandstone, etc., from their natural deposits by means of open excavation.

STRUCTURE - Any form of construction built for other than dwelling purposes.

SWIMMING POOL-PRIVATE - Exclusively used 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; an accessory use.

SWIMMING POOL-PUBLIC - Operated with a charge for admission; a primary use.

TERMS - The word shall is a mandatory requirement. 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.

TOWNHOUSE - Two (2) or more attached dwelling units or groups of dwelling units.

TRAFFIC PAVEMENT - The term applied to all blacktop, slag, concrete, macadam or other surfaces used by vehicles for parking or means of egress or ingress.

TRAILER - Any vehicle or structure designed or used as a conveyance on highways and streets drawn by motive power.

TRAILER PARK OR MOBILE HOME PARK - A tract of land open to the general public upon which spaces for trailers or mobile homes are provided for a consideration, whether for overnight, by the day, the week, the month, or longer period.

TRUSTEES - The Board of Trustees of Austintown Township.

USE - The purpose for which a building or premises is or may be occupied.
VARIANCE - A variance is a modification of the strict terms of the relevant resolutions where such modifications will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the resolutions would result in unnecessary and undue hardship or practical difficulty.
ZONING MAP - The "Zoning Map of Austintown Township, Mahoning County, Ohio".
ZONING PERMIT - The document issued by the Township Zoning Inspector authorizing the various uses in accordance with the Zoning Resolution.