

CHAPTER 1107
Definitions

1107.01 Definitions.

CROSS REFERENCES

Definitions generally - see ADM. 101.02
Housing Code definitions - see BLDG. 1317.02
Sign definitions - see BLDG. 1327.02

1107.01 DEFINITIONS.

For the purpose of this Zoning Code the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1980 Code 150.005)

- (1) "Accessory use or structure" means a use or structure which is incidental to the main use of the land or building.
(Ord. 02-44. Passed 8-26-02.)
- (2) "Agriculture" includes farming, dairying, pasturage, agriculture, horticulture, viticulture, animal and poultry husbandry, and the limited processing and sale of agricultural products from land under one ownership.
- (3) "Ancillary retail/service" means a commercial establishment where retailing or business services are dependent upon another function performed on-site, or where they are dependent upon each other, such as:
 - (a) A retail outlet to an assembly plant or warehouse distribution center (retail ancillary to manufacturing);
 - (b) A bulk building materials outlet ancillary to either a building systems contractor or building components fabricator (retail ancillary to manufacturing);
 - (c) A retail business requiring on-site installation (retail/service mutually dependent);
 - (d) A service or repair business for specialty goods or commercial or recreational vehicles not requiring a salvage yard (such as, a custom rebuilder of machinery, engines, etc.);
 - (e) A service depot of light industrial character (such as, a building restoration service or machinery transfer service).
(1980 Code 150.005)
- (3.5) "Athletic instruction" means establishments primarily engaged in offering instruction in athletic activities to groups of individuals.
(Ord. 06-12. Passed 3-13-06.)

- (4) "Attic, habitable" means an attic which has a stairway as a means of access and in which the ceiling area at a height of seven feet, six inches above the attic floor is not more than one-third the area of the floor next below. For the purposes of this section, a stairway shall not include a pull-down ladder.
- (5) "Automobile service stations" means a space, building or part of a building used for retail sale or supply of motor fuels, lubricants, air, water and other commodities essential to the operation of a motor vehicle, including the customary facilities for the installation of such commodities in or on vehicles. This term shall not include facilities for tire recapping, metal repair, valve grinding, spray painting or similar operations which by nature may become noxious to occupants of adjacent property or the general public.
- (6) "Automotive repair" means the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service and the painting and steam cleaning of vehicles.
- (7) "Automotive sales" means the sale or rental of new or used motor vehicles or trailers.
- (8) "Basement" means that portion of a building which is partly or completely below grade such that it does not meet the definition of a story above grade. It is the intention of this chapter that any story that qualifies for the definition of a "story above grade" shall not be considered a basement.
- (9) "Billboard" or "signboard" means any sign situated on private premises with an area greater than 100 square feet on which the written or pictorial information is not directly related to the principal use of the land on which such sign is located.
- (10) "Board" means the Board of Zoning Appeals of the City.
- (11) "Boarding house" means a building other than a hotel where, for compensation and by arrangement, meals or lodging and meals are provided for three or more persons but not exceeding six persons.
- (12) "Building" means any structure other than a boundary wall or fence.
 - (a) "Building, front line of" means the line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches, whether enclosed or unenclosed, but does not include steps.
 - (b) "Building, height of" means 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.
 - (c) "Building, principal" means a building in which is conducted the main or principal use of the lot on which the building is situated.

- (13) "Business services" means any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or business.
- (a) "Community shopping center" includes retail goods and services which lend themselves to contributing to the design and economics of a unified shopping center of ten to forty acres in size.
 - (b) "Highway and general business" includes commercial uses requiring locations on major thoroughfares and at their intersections. Highway uses include motels, gas stations and restaurants. General and service businesses include auto and farm implement sales and services, building trades and services, commercial recreation and other commercial uses which do not contribute to the design of a unified commercial center.
 - (c) "Institutions and office areas" includes institutions of a charitable, philanthropic or religious nature; real estate, insurance and regional offices; and medical centers and other comparable uses as determined by the Board of Appeals. These uses require spacious sites and are not large generators of traffic.
 - (d) "Neighborhood retail business" means retail establishments which cater to and can be located in close proximity to residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influence. To prevent congestion, local retail uses include only those enterprises which normally employ less than 10 persons. Permitted uses include drug stores, beauty salons, barber shops, and hardwares and groceries with less than 10,000 feet of floor area. Other small businesses of an equally restricted and local nature may be permitted, based on the discretion of the Board of Appeals.
(1980 Code 150.005)
- (13.5) "Church". See Section 1107.01(59.5). "Place of worship".
(Ord. 02-44. Passed 8-26-02.)
- (14) "Clinic" means an establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.
- (15) "Club" means a building or portion thereof or premises owned or operated by a corporation, association, person or persons 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.
- (16) "Cluster housing" means a type of housing characterized by higher densities and variation in sideyard and setback standards in order to create unique and high amenity private open spaces. Usually a minimum of three homes which are grouped around a courtyard either for pedestrian or vehicular use.
- (17) "Commercial centers, integrated" means any group of proposed or existing commercial uses which because of their land use impact form a larger unit of commercial activity.

- (18) "Commercial entertainment facilities" means any activity conducted for gain which is generally related to the entertainment field, such as motion picture theaters, carnivals, night clubs and similar entertainment activities.
(1980 Code 150.005)
- (18.1) "Commercial vehicles" means:
- (a) Every vehicle except a passenger car, non-commercial trailer and a recreational vehicle, as defined herein, including but not limited to 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 registered with the State of Ohio Bureau of Motor Vehicles as a commercial trailer or weighing in excess of 3000 pounds, horse trailers, trailers used to transport agricultural animals, 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, or threshing machinery, hay baling machinery, corn sheller, hammermill and agricultural tractors and machinery used in the production of horticultural, agricultural and vegetable products.
 - (b) Every vehicle with a commercial registration except a vehicle with a State Bureau of Motor Vehicles weight sticker of fourteen or less or if the vehicle is not registered in the State it shall not have a gross vehicle weight in excess of 14,000 pounds.
(Ord. 93-41. Passed 10-4-93.)
- (19) "Commission" means the Planning Commission of the City.
- (20) "Community shopping center" means services and retail businesses whose predominant number of customers are attracted from all over the county, plus highway travelers from other counties and states. This type of business usually is located along major highways and requires considerable parking area. See the definition of neighborhood business for other business activities.
- (21) "Conditional use" or "special exception" means a use which is subject to conditional approval by the Board of Appeals. A conditional use may be granted by the Board only when there is a specified provision for such special exception made in this Zoning Code. A conditional use is not considered to be a nonconforming use.
- (22) "Council" means the City Council of Hilliard, Ohio.
- (23) "Detention basin" means a stormwater runoff control basin designed to hold water only during and immediately after a rain.
- (24) "Districts, zoning" means administrative tracts designating the uses to which land can legally be utilized. Boundaries of the districts are shown on the district map which is part of this Zoning Code.

- (25) "Drive-in commercial uses" means any retail commercial use providing considerable off-street parking, and catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters and similar uses.
- (26) "Dwelling" means any building or portion thereof which is designated or used for residential purposes.
- (a) "Dwelling, single-family" means a building designed for or occupied exclusively by one family.
- (b) "Dwelling, two-family" means a building designed for or occupied exclusively by two families.
- (c) "Dwelling, multiple" means a building used or designed as a residence for three or more families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, flats, and row houses.
- (27) "Dwelling, zero lot line" means a building designed for or occupied exclusively by one family and distinguished from a single-family dwelling by the location of one blank side wall on or within three to five feet of a side property line.
- (28) "Entertainment facility" means an activity conducted for economic gain which is generally related to the entertainment field including but not limited to theaters for the showing of motion pictures and theatrical events as well as other related amusement facilities.
- (29) "Essential services" means the erection, construction, alteration, operation or maintenance of a utility or service by a public utility, a railroad, whether publicly or privately owned, or a municipal or other government agency, including the furnishing of electric, gas, rail transport, communications, public water, sewer service, cable TV lines, traffic signals, hydrants and similar equipment and accessories reasonably necessary for the furnishing of adequate services.
- (30) "Family" means one or more persons occupying a dwelling and living as a single housekeeping unit and doing their own cooking on the premises as distinguished from a group occupying a boarding house or hotel, as herein defined.
(1980 Code 150.005)
- (30.5) "Fine arts instruction" means establishments primarily engaged in offering instruction in the arts, including dance, art, drama, and music to groups of individuals. (Ord. 06-12. Passed 3-13-06.)
- (31) "Food processing" means the preparation or processing of food products. Examples of activities included are bakeries and dairies.
- (32) "Frontage" means all of the property on one side of a street between two intersecting streets, crossing or terminating, measured at the setback building line. If the street is a deadend, this term refers to all of the property abutting one side between an intersecting street and the deadend of the street.
- (33) "Garage".
- (a) "Garage, private" means an accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be a commercial vehicle of more than two-ton capacity.

- (b) "Garage, public" means a building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.
- (34) "Gas station" or "service station" means any building, structure or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, oils or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work such as motor replacement, body and fender repair or spray painting.
- (35) "Group home" means a building which houses no more than six nonrelated individuals which is established as an alternative for institutionalizing individuals, is duly supervised on a twenty-four hour basis by qualified personnel, and is in the best interest of the public health, safety and general welfare.
- (36) "Habitable rooms", except kitchens, baths and hallways, shall have a ceiling height of not less than seven feet, six inches in height for at least fifty percent (50%) of their required areas. Not more than fifty percent (50%) of the floor area under a finished sloped ceiling, less than seven feet, six inches in height but greater than five feet in height from the finished floor shall be considered as contributing to the minimum required residential floor area for that room. Exceptions:
- (a) Beams and girders spaced not less than four feet on center may project more than six inches below the required ceiling height.
- (b) All other rooms including kitchens, bathrooms, toilet compartments and hallways may have a ceiling height of not less than seven feet measured to the lowest projection from the finished ceiling to the finished floor.
- (37) "Habitable space" means space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, basements, storage or utility spaces and similar areas are not considered "habitable space".
- (38) "Highway, major" means a street or road of considerable continuity which is used primarily as a traffic artery for intercommunication among large areas.
- (39) "Home occupation" means an accessory use of a service character within a dwelling by the residents thereof which is clearly secondary to the use of the dwelling for living purposes, and which does not change the character thereof or have any exterior evidence of such secondary use other than a sign not more than two square feet in area; and in connection therewith there is not involved the keeping of a stock in trade. The office of a physician, surgeon, dentist or other professional person, including an instructor in individual musical instruments who is limited to a single pupil at a time, offers skilled services to clients, and is not professionally engaged in the purchase or sale of economic goods, shall be deemed to be a home occupation. Dancing instruction, band instrument instruction in groups, tourist homes, real estate offices, convalescent homes, mortuary establishments and stores, trades or business of any kind not herein excepted shall not be deemed to be home occupations. Borderline cases shall be ruled on by the Board of Appeals.

- (40) "Hotel" means 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.
(1980 Code 150.005)
- (40.1) "Improved surface", as used herein, in connection with the parking, storing or keeping of a recreational vehicle, means concrete, asphalt, aggregate base, sub-base, asphalt concrete, brick or such other improved surface as approved by the City Engineer. (Ord. 93-41. Passed 10-4-93.)
- (41) "Institution" means a building or buildings housing an established organization or foundation dedicated to public service and the care of destitute, disabled, mentally ill or similar persons.
(Ord. 02-44. Passed 8-26-02.)
- (42) "Junk storage and sales" or "salvage operation" means any lot, land, structure or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in operating condition, and for the sale of parts thereof.
- (43) "Land use plan" means the long-range plan for the desirable use of land in this area as adopted by the City Planning Commission. The purpose of such plan is, among other purposes, to serve as a guide in future development and zoning for the community.
- (44) "Loading space" means a space within the main building or on the same lot therewith, which provides for the standing, loading or unloading of trucks, and which has a minimum dimension of twelve feet in width, a vertical clearance of at least fourteen feet, and a length of forty feet for tandem trailers or twenty-eight feet for two-axle trucks.
- (45) "Lodging house" means a building other than a hotel where lodging for two or more persons is provided for compensation pursuant to previous arrangement and not to anyone who may apply.
- (46) "Lot" means a parcel of land occupied or intended for occupancy by a use permitted in this Zoning Code, including one main building together with its accessory buildings and the open spaces and parking spaces required by this Zoning Code, which has its principal frontage on a street or an officially approved plat.
- (a) "Lot coverage" means the percentage of lot coverage shall be the ratio of enclosed ground floor area of all buildings to the horizontally projected area of the lot, expressed as a percentage.
- (b) "Lot of record" means any lot which individually or as a part of a subdivision has been recorded in the office of the Recorder of Deeds of the county.

- (c) "Lot, minimum area of" means the area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.
 - (d) "Lot width" means the width of a lot at the building setback line measured at right angles to its depth.
- (47) "Manufacturing".
- (a) "Manufacturing, general" means any manufacturing or industrial production which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, radiation, noise, vibration, cinders, gas fumes, dust, smoke, refuse matter or water-carried waste. Any manufacturing or industrial process permitted in an "M-3" District shall comply with the performance requirements of Section 1141.03.
 - (b) "Manufacturing, limited" means any manufacturing or industrial production or storage which by the nature of the materials, equipment and process utilized are free of objectionable or hazardous elements. Limited industrial uses shall comply with the performance requirements specified in Section 1141.03 and shall include the following industrial uses and any other uses which are determined by the Board of Zoning Appeals to be of the same limited character: building material storage and sales, farm supplies, grain storage and processing, oil and gas well equipment sales and storage, and warehousing and wholesale businesses.
- (48) "Mineral extraction, storage and processing" means any mining, quarrying or processing of limestone, sand, gravel, petroleum or other mineral resources.
- (49) "Mixed occupancy" means the combination of residential and office or residential and commercial units in the same structure.
- (50) "Mobile home" or "house trailer" means any vehicle or similar portable structure which is not self-powered but which is over twenty feet in length, exclusive of hitches and bumpers, designed or constructed to permit occupancy for dwelling or sleeping purposes.
- (51) "Mobile home parks" means an area manifestly designed to accommodate mobile homes in a safe, sanitary and desirable manner as described in Section 1137.01.
- (52) "More restrictive" means, in reference to a nonconforming use, the changing of a use to more nearly conform to the permitted use, thus increasing the requirements such as side yards, or generally increasing compatibility of a nonconforming use to the requirements of the district in which it is located. (1980 Code 150.005)
- (52.5) "Mosque". See Section 1107.01(59.5) "Place of worship". (Ord. 02-44. Passed 8-26-02.)
- (53) "Motor court" or "motel" means a building or group of buildings used for the temporary residence of motorists or travelers.
- (54) "Nonconforming use" means use of land or a building, or portion thereof, which does not conform with the use regulations of the district in which it is situated.
- (55) "Nursery" means:
- (a) Grounds or premises at which nursery stock is propagated, stored, maintained or grown for sale and professional landscaping services are provided; and

- (b) Not more than ten percent (10%) of such grounds or premises are used for buildings, (exclusive of greenhouses or similar structures) for nursery stock sales or the storage of equipment including but not limited to trucks, cars and other motorized machinery.
- (56) "Nursery stock" means:
 - (a) Any hardy tree, shrub, plant or bulb whether wild or cultivated, and any cutting, graf, scion or bud thereof;
 - (b) Any nonhardy tree, shrub, plant or bulb whether wild or cultivated, and any cutting, graf, scion or bud thereof;
 - (c) Supplemental landscaping material not included above such as mulch, decorative stone or rock and accessory items.
- (57) The terms "occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied".
- (58) "Off-street parking space" means any parking space located wholly off any street, alley or sidewalk, either in an enclosed building or on an open lot, and where each parking space has an area of not less than 180 square feet, exclusive of access drives or aisles. (1980 Code 150.005)
- (58.1) "Passenger car" means any motor vehicle with a passenger car registration or a noncommercial registration.
(Ord. 93-41. Passed 10-4-93.)
- (59) "Personal services" means any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shop, beauty parlors and similar activities.
(1980 Code 150.005)
- (59.5) "Place of worship" means a place of assembly of a religious group for the purpose of worship, ceremonies, or rituals, and accessory uses thereto.
(Ord. 02-44. Passed 8-26-02.)
- (60) "Planning Commission" means the Planning Commission of the City of Hilliard, Ohio.
- (61) "Plant cultivation" means the cultivation of crops, fruit trees, nursery stock, truck garden products and similar plant materials outside of structures, such as greenhouses.
- (62) "Professional activities" means the use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects and engineers. (1980 Code 150.005)
- (62.5) "Public service facility" means public land or buildings devoted to the storage and maintenance of equipment and material.
- (63) "Public use" means public parks, schools and administrative, cultural and service buildings. (Ord. 02-44. Passed 8-26-02.)
- (64) "Recreational facilities".
 - (a) "Noncommercial recreational facilities" means private and semipublic recreational facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses, and other private noncommercial recreation areas and facilities or recreation centers including private community swimming pools.
 - (b) "Commercial recreational facilities" means recreational facilities open to the public and established and operated for a profit, such as commercial golf courses, golf driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals and similar commercial enterprises.

- (c) "Restricted commercial recreational facilities" means boat docks and fishing piers; boat launching, maintenance, repair, and fueling facilities; and concessions for the sale of food, nonalcoholic beverages, and boating and fishing supplies and accessories.
(1980 Code 150.005)
- (65) "Recreational vehicles" means every boat, camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper used primarily for recreational purposes and not used commercially nor owned by a commercial business. "Recreational vehicle," as used herein, includes the following:
 - (a) "Boat" means every description of watercraft used or capable of being used as a means of transportation on water. As used herein, "boat" includes a trailer designed and used to transport the same, whether the watercraft is on the trailer or not.
 - (b) "Camping trailer" means a trailer, not used commercially, constructed with partial side walls which fold for towing and unfold to provide temporary living quarters for recreational camping or travel use and of a size or weight not requiring an over dimension permit when towed on a highway.
 - (c) "Motor home," "mini motor home" or "van camper" means a self-contained motor vehicle, not used commercially, designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk through access to the living quarters from the driving compartment.
 - (d) "Noncommercial trailer" means a vehicle that is registered with the State of Ohio Bureau of Motor Vehicles as a noncommercial trailer and weighs less than 3,000 pounds.
 - (e) "Travel trailer" means a trailer, not used commercially, designed to provide living quarters, for recreational, camping or travel quarters for recreational, camping or travel use, and of a size or weight not requiring an over dimension permit when towed on a highway.
 - (f) "Truck camper" means a truck, not used commercially, when equipped with a portable unit designed to be loaded onto the bed which is to provide temporary living quarters for recreation, travel or camping use.
- (65.1) "Residential district", as used herein, includes the following:
 - (a) Any property included in an area zoned R-R, R-1, R-2, R-3, R-4, R-5 or R-6.
 - (b) Any property designated for residential use in a planned unit development pursuant to Chapter 1157.
 - (c) Any property in the zoning classification of B-6, Old Hilliard, that is used primarily for residential purposes.
(Ord. 93-41. Passed 10-4-93.)
- (66) "Residential floor area" means interior floor areas, including interior walls, finished and livable, of the story or stories above grade of the dwelling, including stairways, halls, closets, bathrooms, toilet compartments, storage, utility spaces and habitable attics, meeting the requirements of a habitable room. Basements, porches, garages, breezeways or carports do not contribute to the residential floor area.

- (67) "Retail nursery" means any nursery with more than twenty percent (20%) of its gross revenue from retail sales.
- (68) "Retention basin" means a stormwater runoff control basin designed to retain water on a year-round basis and to hold additional water during and immediately after a rain. (1980 Code 150.005)
- (69) "Semipublic uses" means a private facility that functions like a place of public assembly. (Ord. 02-44. Passed 8-26-02.)
- (70) "Sewage disposal system - combined" means an approved sewage disposal system which provides for the combined collection and disposal of sewage from a group of residential, commercial or industrial buildings.
- (71) "Sign".
- (a) "Sign, advertising" means a sign which directs attention to a business, commodity or service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises, if at all.
- (b) "Sign, billboard" means any sign situated on private premises with an area greater than 100 square feet on which the written or pictorial information is not directly related to the principal use of the land on which the sign is located.
- (c) "Sign, business" means a sign which directs attention to a business or profession conducted on the premises. A "For Sale" sign or a "For Rent" sign relating to the property on which it is displayed shall be deemed a business sign.
- (72) "Social activities" means any building and land used for private or semiprivate club activities, including lodges, fraternities and similar activities.
- (73) "Solicitor" means the City Solicitor of Hilliard, Ohio.
- (74) "Specialized animal raising and care" means the use of land and buildings for the raising and care of furbearing animals such as rabbits and domestic pets, and the stabling and care of horses, animal kennels, pigeon raising and raising of any other domestic animals or birds of a similar nature.
- (75) "Story" means that portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.
- (76) "Story above grade" means any story having a finished floor surface entirely above grade except that a basement shall be considered a story above grade when the distance from grade to finished surface of the floor above is more than four feet, six inches for eighty percent (80%) of its total exterior perimeter.
- (77) "Street line, right-of-way line" means a dividing line between a lot, tract or parcel of land and contiguous street.
- (78) "Structure" means anything constructed or erected, other than a building, the use of which requires permanent location on the ground, or which must be attached to something which has a permanent location on the ground, including but not limited to, advertising signs, billboards and backstops for tennis courts.

- (79) "Structural alterations" means any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders. (1980 Code 150.005)
- (79.3) "Synagogue". See Section 1107.01(59.5) "Place of worship".
- (79.5) "Temple". See Section 1107.01(59.5) "Place of worship".
(Ord. 02-44. Passed 8-26-02.)
- (80) "Tourist home" means a building other than a hotel where lodging is provided and offered to the public for compensation for not more than fifteen individuals and which is open to transient guests.
- (81) "Trailer".
- (a) "Trailer, small utility" means any trailer drawn by a passenger automobile, used for the occasional transport of personal effects.
- (b) "Trailer, mobile home" means any house car, house trailer or similar mobile unit which may be used for dwelling or sleeping quarters.
- (82) "Variance" means a relaxation of requirements where such variation shall not be contrary to the public interest and where, because of conditions peculiar to the property and not the actions of the applicant, a literal enforcement of this Zoning Code would result in unnecessary and undue hardship.
- (83) "Warehouse" means a building with more than fifty percent (50%) of its inside square footage used for the storage of goods, equipment or supplies shall be considered a warehouse if either of the following apply:
- (a) The goods, equipment or supplies belong to or are intended for use by a person, business or corporation other than the owner or lessee of the building; or
- (b) If the goods, equipment or supplies belong to or are intended for use by a person, business or corporation who is the owner or lessee of the building and the goods, equipment or supplies are not assembled or used on the premises.
- In the event the building in question contains more than one business occupant each business occupant shall be separately considered.
- (84) "Wholesale business" means the sale of goods by the piece or in quantity to other business for manufacturing purposes or resale, as opposed to sales to the ultimate retail consumer.
- (85) "Wholesale nursery" means any nursery with not more than twenty percent (20%) of its gross revenues from retail sales.
- (86) "Yard" means an open space, at grade, between a lot line and/or street right-of-way and a building, unoccupied and unobstructed by any portion of a structure, except structures allowed by Section 1127.07, or such other structures allowed by the Board of Appeals after determining that the same do not interfere seriously with the purpose of the yard. All measurements for determining a side yard, front yard or rear yard shall be made from the lot line using the minimum horizontal distance from the lot line. All lines defining the side yard, front yard and rear yard shall be parallel with the lot line. In the event of an unusual shaped lot, that makes the application of this definition, as well as, the definition of front yard, rear yard and side yard impossible or unpractical, as determined by the Building Inspector, then the Building Inspector shall determine the side yard, rear yard and front yard to the best of his ability applying the principals and purpose as set forth in the definitions herein, as well as, the definition of front yard, rear yard and side yard.

- (a) "Corner lot": The definition side yard, front yard and rear yard shall apply to corner lots. The front, rear and side of a corner lot shall be designated by the applicant when the initial building permit is requested. This designation shall not change without approval of the Building Inspector.
 - (b) "Yard, front" means a yard extending across the front of a lot and between the side yard limits. The front yard shall be measured from the front lot line and shall extend in on the lot a distance equal to the minimum front yard dimensional requirements as set forth in Section 1127.01, or as indicated on the record plat.
 - (c) "Yard, rear" means a yard extending across the rear of a lot and between the side yard limits. The rear yard shall be measured from the rear lot line and shall extend in on the lot a distance equal to the minimum rear yard dimensional requirements as set forth in Section 1127.01 or development standards.
 - (d) "Yard, side" means a yard extending from the rear lot line to the front lot. The side yard shall be measured from the side lot line and shall extend in on the lot a distance equal to the minimum side yard dimensional requirements as set forth in Section 1127.01 or development standards.
- (87) "Zoning Certificate" means the document issued by the Zoning Inspector authorizing the use of the land or buildings.
- (88) "Zoning District Map" means the Zoning District Map or Maps of the City of Hilliard, Ohio, together with all amendments subsequently adopted.
- (89) "Zoning Inspector" means the Zoning Inspector or his authorized representative appointed by the City Council.
(1980 Code 150.005)