

## ARTICLE 2

### DEFINITIONS

#### Interpretation of Terms or Words:

For the purpose of these regulations, certain terms or words used herein shall be interpreted as follows:

1. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
4. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
5. The word "lot" includes the words "plat" or "parcel."

Alley: See Thoroughfare

Board: Board of County Commissioners of Portage County, Ohio.

#### Building:

Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels or property.

#### Building, Accessory:

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.

#### Building, Principal:

A building in which is conducted the main or principal use of the lot on which said building is situated.

Building Line: See Setback Line

Commission: Portage County Regional Planning Commission (Amended June 26, 1984)

#### Commissioners:

Board of County Commissioners of Portage County, Ohio.

Comprehensive Development Plan:

A plan, or any portion thereof, adopted by the Commission and/or the legislative authority of the County of Portage, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

Contractor:

The contractor is the developer or any person, firm, or corporation undertaking the construction of any or all phases of the work contained in these regulations.

Contours:

Lines of equal elevation on maps, plats, and engineering designs.

Corner Lot: See Lot Types.

County: Portage County, Ohio.

County Highway Plan:

A map showing existing and recommended major thoroughfares within Portage County, and that designates each thoroughfare as a freeway, arterial or collector street. (See Appendix L)

County Planning Commission:

Portage County Regional Planning Commission (Amended June 26, 1984).

Covenant: A written promise or pledge.

Cul-de-Sac: See Thoroughfare.

Culvert: A transverse drain that channels under a bridge, street, or driveway.

Dead-end- Street: See Thoroughfares.

Density: A unit of measurement; the number of dwelling units per acre of land.

1. Gross Density - the number of dwelling units per acre of the total land to be developed.
2. Net Density - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Design Storm:

A selected rainfall pattern of specified amount, intensity, duration, and frequency that is used as a basis for design.

Detention Basin:

Constructed for the purpose of temporary storage of stream flow or surface runoff for releasing the stored water at controlled rates.

Developer:

Any individual, subdivider, firm, association, syndicate, partnership, corporation, trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.

Dwelling Unit:

Space, within a building, 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.

Easement:

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Earth Diversion Dikes:

A ridge of compacted soil constructed at the top or base of a sloping disturbed area.

Easement of Access:

A legal right, granted by the owner of a strip of land, to any person by which such person is afforded the right to use such strip for pedestrian and/or vehicular access to any subdivision, or part thereof. Such legal right may be granted by the conveyance of an easement, an undivided fractional interest in fee, or any other form of conveyance which conveys such a right. Such legal right may also be granted by a license.

Erosion:

The movement of soil particles, where not wanted, by water and wind.

Exceptional Replat:

A map of the plan for the division of land within or involving a previously platted subdivision where there is a sale or exchange of parcels between adjoining lot owners and no new building sites are created. (Amended June 26, 1984)

Engineer:

Any person registered to practice professional engineering by the state board of registration as specified in Section 4733.14 Ohio Revised Code.

The Engineer: The Portage County Engineer or one of his duly authorized deputies or assistants.

Flood Plain:

Riparian area along a river, stream, or lake. Characterized by seasonal flooding or wetness and hydrophytic vegetation.

Highway Plan: See County Highway Plan.

Improvements:

Street pavement or resurfacing, grading, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.

Inspector:

The inspector is the authorized representative of the County Engineer and/or County Sanitary Engineer, assigned to make a detailed inspection of any or all portions of the work or materials thereof.

Location Map: See Vicinity Map.

Lot:

For purposes of these regulations, a lot is a parcel of land 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.

Lot Frontage:

The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under Yards in this section.

Lot, Minimum Area of:

The area of lot computed exclusive of any portion of the right-of-way of any public or private street.

Lot Measurements: A lot shall be measured as follows:

1. Depth of a lot shall be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

Lot of Record:

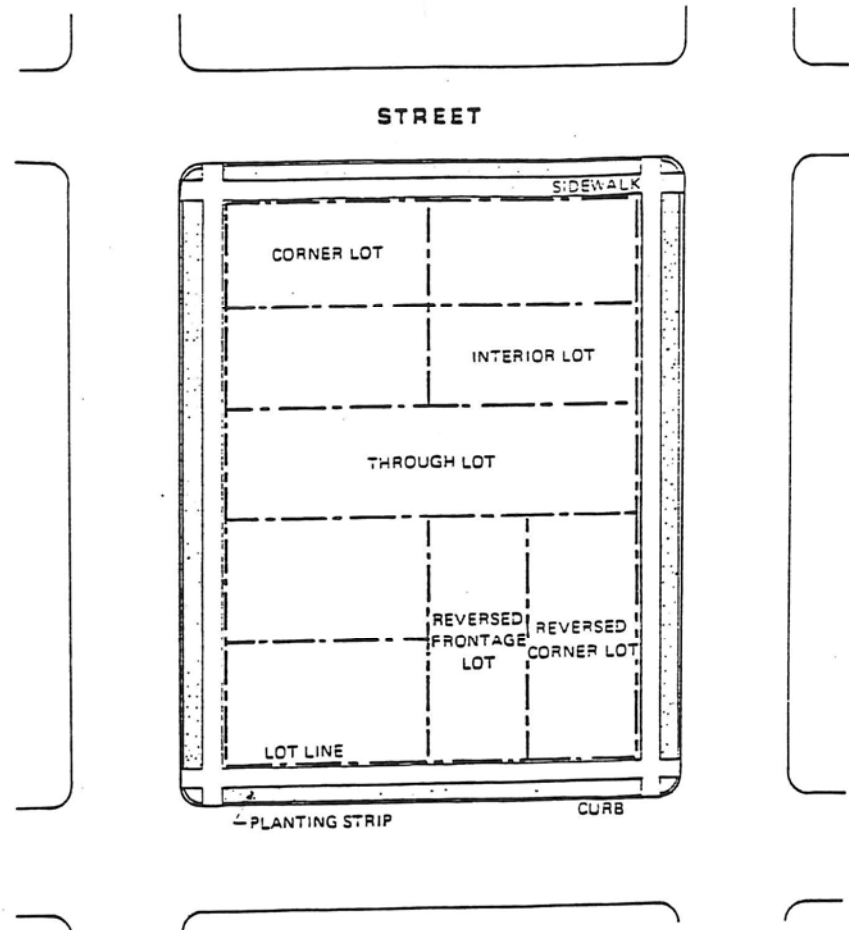
A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types:

Terminology used in these regulations with reference to corner lots, interior lots and through lots is as follows: (See Illustration No. 1)

1. A corner lot is defined as 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.
2. An interior lot is a lot other than a corner lot with only one frontage on a street.
3. A through lot is a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. A reversed frontage lot is 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.

**Illustration No. 1**



**TYPES OF LOTS**

Monuments:

Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary line corners, and points of change in street alignment.

Mulching:

Application of plant residue or other suitable materials to the soil surface.

Natural Depression:

In the landscape, any depression created by natural occurrence such as glaciation.

Open Space:

An area open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, swimming pools, tennis courts, or any other recreational facilities that the Planning Commission deems permissive. Streets, structures for habitation, and the like shall not be included.

Original Tract:

A parcel as shown on the Portage County Tax Map Records in 1959.

Out Lot:

Property shown on a subdivision plat outside of the boundaries of the land which is to be developed and which is to be excluded from the development of the subdivision.

Pad:

A building site prepared by artificial means, including, but not limited to, grading, excavation, or filling, or any combination thereof.

Parking Space, Off Street:

For the purpose of these regulations, 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.

Performance Bond or Surety Bond:

An agreement by a subdivider or developer with the County 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 subdivider's agreement.

Permanent Seeding:

The establishment of perennial vegetative cover on disturbed areas by planting seed.

Phasing:

Disturbing only the area of development that will be developed immediately.

Planned Unit Development:

An area of land, in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned 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.

Planning Commission:

Portage County Regional Planning Commission. (Amended June 26, 1984)

Plat:

The map, drawing, or chart on which the developer's plan of subdivision is presented to the County Planning Commission for approval and after such approval, to the County Recorder for recording.

Public Way:

An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

Replat:

A map of the developer's plan for changing the lots, streets and alleys of a previously platted subdivision. (Amended June 26, 1984)

Retention Ponds:

A natural or artificial basin that functions similar to a detention structure except that it maintains a permanent water supply.

Right-of-Way:

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.

Rip-Rap:

A permanent erosion resistant groundcover of large, loose, angular stone with filter fabric or compacted granular underlining.

Road: See Thoroughfare.

Rock or Check Dams:

Small, temporary stone dams constructed across a swale or drainage ditch.

Scour:

Water erosion of the bottom of waterways, ditches, streams, or rivers.

Sediment Basin:

A temporary barrier or dam with a controlled stormwater release structure formed by constructing an embankment or compacted soil across the drainage way.

Setback Line:

A line established by the subdivision regulations and/or zoning resolution, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said codes. (See Yards)

Sewers, Central or Group:

An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.

Sewers, On-Site:

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, subject to the approval of health and sanitation officials having jurisdiction.

Sidewalk:

That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic. See "Walkway."

Silt Fence:

A temporary sediment barrier consisting of a filter fabric stretched across and attached to a post and entrenched.

Silting: Deposition of soil particles.

Sodding: Stabilizing fine-graded, disturbed areas by establishing permanent grass stands with sod.



Soil Stabilization Blankets and Matting:

The installation of a protective covering (blanket) or a soil stabilization mat on a prepared planting area of steep slope, channel, or shoreline.

Storm Drain Inlet Protection:

A sediment filter or an excavated impounding area around a storm drain drop inlet or a curb inlet.

Straw Bale Barrier:

A temporary sediment barrier consisting of a row of entrenched and anchored straw bales.

Street: See Thoroughfare.

Subdivider: See Developer.

Subdivision:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or
2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Surveyor:

A person registered to practice surveying by the state board of registration as specified in Section 4733.14 of the Ohio Revised Code.

Temporary Seeding:

The establishment of a temporary vegetative cover on disturbed areas by seeding with appropriate, rapidly growing annual plants.

Thoroughfare, Street, or Road:

The full width between property lines bounding every public or private way of whatever nature, including an easement of access, with a part thereof to be used for vehicular traffic and designated as follows: (See Illustration No. 2)

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 route.
3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, 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 (1) end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-end Street: A street temporarily having only one (1) 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, commercial, or other abutting property.
7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the hundred and eighty (180) degree system of turns are not more than one thousand (1,000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. Marginal Access Street: 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. (Also called Frontage Street)

Through Lot: See Lot Types.

TR-55 Software:

The Soil Conservation Service method of calculating runoff from developing areas.

Transportation Plan: See County Highway Plan.

Variance:

A variance is 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 an extraordinarily and unnecessary hardship.

Vegetative Buffer Strip:

Established area of grass, sod, or trees between a waterway, river, stream, ditch, lake or pond.

Vicinity Map:

A drawing located on the preliminary plan and/or plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within Portage County in order to better locate and orient the area in question.



Walkway:

A dedicated public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

Watershed:

The drainage basin in which the subdivision drains or that land whose drainage is affected by the subdivision.

Wetlands:

Areas in the landscape that have hydric soils, hydrophytic vegetation, and have water at or near the surface part or most of the year.

Work, The:

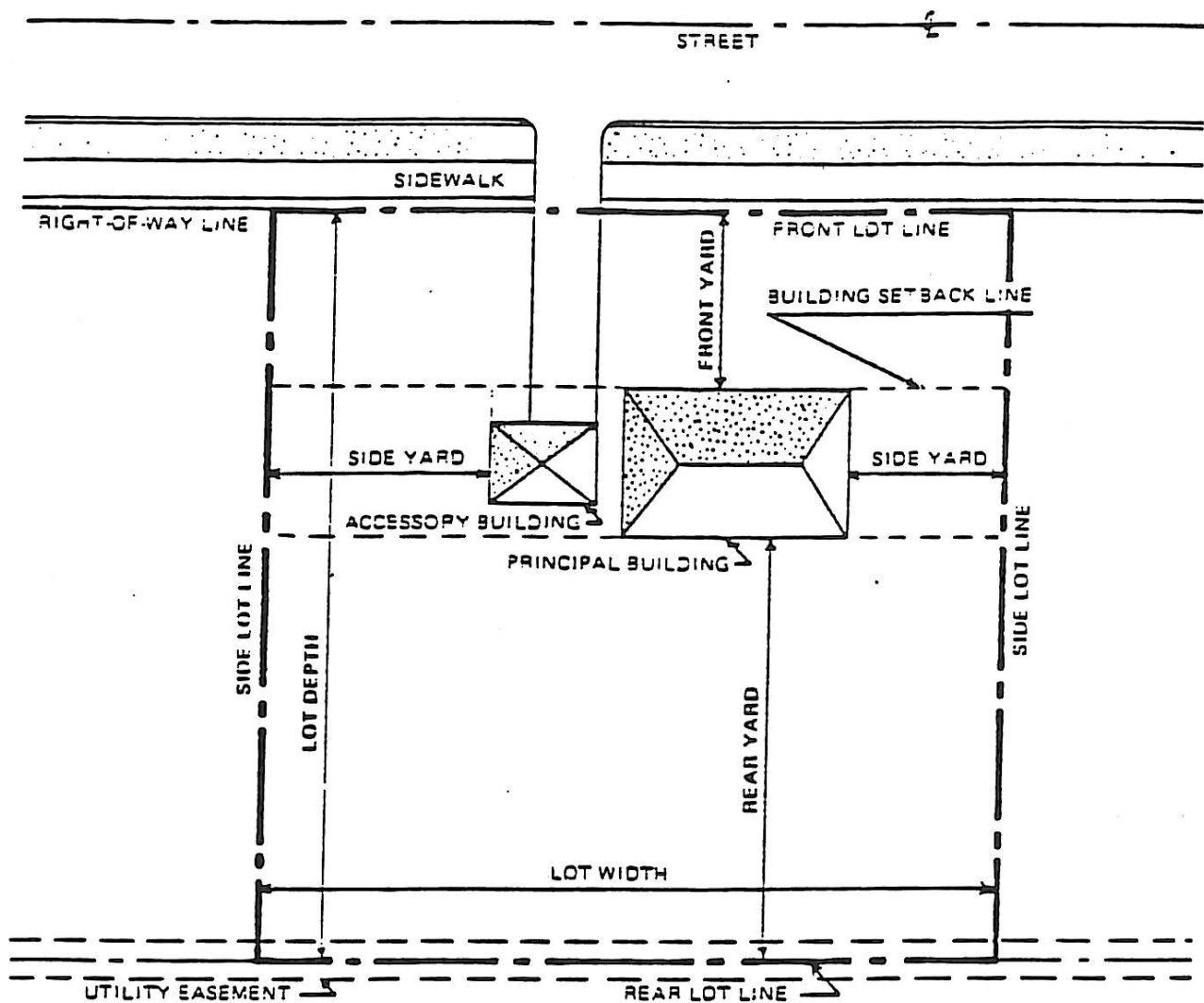
The work is all work specified herein or indicated on the plans of the contemplated improvement covered by these regulations and supplemental agreements thereto.

Yard:

A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility. (See Illustration No. 3)

1. Yard, Front: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. Yard, Rear: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear lot line to the rear of the principal building.
3. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

Illustration No. 3



LOT AREA= TOTAL HORIZONTAL AREA

LOT COVERAGE= PER CENT OF LOT OCCUPIED  
BY BUILDING

### LOT TERMS

