

**ORDINANCE NO. 97-21**  
**REVISED 12-10-2021 – CLEAN**

AN ORDINANCE TO AMEND SECTION 1103.01 - DEFINITIONS, OF  
THE CITY OF CONNEAUT CODIFIED ORDINANCES, AND NOT  
DECLARING AN EMERGENCY.

BE IT ORDAINED, by the City of Conneaut, County of Ashtabula and State of Ohio:

SECTION 1. That Section 1133.01 of the City of Conneaut Codified Ordinances is hereby amended to read as follows:

**1103.01 STATEMENT OF INTENT**

"ACCESS DRIVE" A paved strip, which provides a vehicular connection between off-street parking spaces and a public street.

"ACCESSORY STRUCTURE" means a subordinate building and/or structure located on the property used to house animals such as a dog kennel or dog house, portable dog enclosure, garages, play equipment, shed, or other similar structure incidental to the principal use of the property.

"ACCESSORY USE" means a use customarily incidental to and subordinate to the principal use of the land or building, and located on the same lot with such building or principal land use.

"AGRICULTURE" means farming, ranching, aquaculture; apiculture and related apicultural activities, production of honey, beeswax, honeycomb, and other related products; horticulture; viticulture, winemaking and related activities; animal husbandry, including but not limited to the care and raising of livestock, equine and related equine activities including but not limited to grooming, training, showing; poultry, husbandry and the production of poultry and poultry products, dairy production; the production of field crops; timber, pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

"ANIMAL KENNEL" means a place where domestic pets are kept, raised, boarded, or trained for remuneration.

"APARTMENT" means a part of a building consisting of a room or suite of rooms, intended, designed, or used as a residence by an individual or single family.

"APPEAL" means a request for a review of the Zoning Inspector's interpretation of any provision of this Zoning Ordinance or a request for a variance.

"AREA OF BUILDING" means area at the ground level of the main building and all accessory buildings - excluding terraces, and steps - measured from outside surface of exterior walls.

"AREA OF SPECIAL FLOOD HAZARD" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

"AUTOMOBILE WRECKING YARD" means any land or building or other structure used primarily for the dismantling or storage of motor vehicles for the purpose of converting such dismantled motor vehicles into scrap metal or salvageable parts.

**“AUTOMOTIVE, MOBILE HOME, TRAVEL TRAILER, AND FARM IMPLEMENT SALES”** means the sale or rental of new and used motor vehicles, mobile homes, travel trailers, or farm implements.

**“AUTOMOTIVE REPAIR”** means the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

**“AUTOMOTIVE SERVICE STATION”** means buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail. Uses permissible at a filling station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in filling stations. A filling station is not a repair garage nor a body shop.

**“AUTOMOTIVE AND AUTO ACCESSORY SALES”** means an area within a building or open area other than a street used for display, sales, or rental of motor vehicles, or parts or accessories used in conjunction therewith, such as mechanical parts, radios, tires and batteries with on-site installation.

**“BASE FLOOD”** means the flood having a one percent chance of being equaled or exceeded in any given year.

**“BASEMENT”** means an area below the first floor, having part but no more than one-half (1/2) of its height above grade.

**“BED AND BREAKFAST”** means a single-family dwelling which is a residence occupied by the owner or designated employee that offers sleeping accommodations in four or fewer rooms as transient lodging and one meal is provided for compensation

**“BEGINNING OF CONSTRUCTION”** means the initial excavation work on a particular construction project, prior to incorporation of equipment and materials.

**“BLUFFLINE”** means the line which is the edge or crest of the elevated segment of the shoreline above the beach which normally has a precipitous front inclining steeply on the lakeward side.

**“BOARD OF ZONING APPEALS”** means the Board of Zoning Appeals of the City of Conneaut, a local body, created by ordinance, whose responsibility is to hear appeals from decisions of the local zoning administrative official and to consider requests for variances and exceptions (special use permits, conditional use permits) permissible under terms of the Zoning Ordinance.

**“BUILDING”** means any structure which is permanently affixed to the land, having one or more floors and a roof, being bounded by either open spaces or lot lines and used as a shelter or enclosure for persons, animals, or property.

**“BUILDING HEIGHT”** means the vertical distance from the grade to the highest point of the coping of a flat roof, or to the mean height level between eaves and ridges for gable, hip, and gambrel roofs.

**“BUILDING LINE”** means a line defining the minimum front, side and rear yard requirements.

**“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.

**“BUSINESS, HIGHWAY AND COMMUNITY”** means commercial uses which generally require locations on or near major thoroughfares, and which tend to provide highway service type facilities primarily aimed at servicing the traveling public.

**“BUSINESS, HIGHWAY SERVICE”** means commercial establishments which cater to and are located in close proximity to a major arterial interchange, such as the interstate highway.

“CAMP GROUNDS AND SITE” means an area or place that is used for camping; a place where people can put up a tent or park a camper or trailer and that usually has toilets and showers for campers to use. A camp ground may also have cabins, with or without toilets and showers, used for sleeping.

“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.

“CERTIFICATES OF ZONING COMPLIANCE” means an enforcement device which, in reference to a certain class of structure (usually multiple-family dwellings), incorporates in one document an indication of conformance, or lack thereof, with the Zoning Code, which may apply to a specific property. This certificate puts prospective purchasers on notice that the property may be nonconforming or in actual violation of local codes and what must be done to achieve compliance. It also helps considerably in code administration and enforcement.

“CHURCH” means a building used principally for religious worship, but the word “church” shall not include or mean an undertaker’s chapel or funeral building.

“CLOTHING BIN/DONATION/DROP OFF BOX” means any container, structure, or receptacle held out to the public as a place for people to drop off articles of clothing and to store such clothing until carted away.

“COMPREHENSIVE PLAN” means a plan, or any portion thereof, adopted by the Planning Commission and the legislative authority of the City of Conneaut showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.

“COMMISSION”. See Planning Commission.

“CONDITIONAL USE” means 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 that all prior conditions for approval have been met.

“CONDITIONAL USE PERMIT” means legal authorization to undertake a conditional use, issued by authorization of the Board of Zoning Appeals consisting of two parts: (1) a statement of the factual determination by the Board of Zoning Appeals which justifies the issuance of the permit, and (2) a statement of the specific conditions which must be met in order for the use to be permitted.

“CONTROLLED ACCESS HIGHWAY” means a divided arterial highway for traffic with full or partial control of access and generally with grade separations of intersections.

“COUNCIL” means the City Council of Conneaut, Ohio.

“DAY CARE CENTER” means any place in which child day-care is provided for five or more infants, pre-school children, or school-age children, or school-age children outside of school hours in average daily attendance, other than the children of the owner or administrator of the center, with or without compensation.

“DENSITY” means a unit of measurement; the number of dwelling units per acre of land. The control of density is one of the basic purposes of zoning.

“DEVELOPMENT” means any manmade change to improved or unimproved real estate, including but limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within an area of special flood hazard.

“DRIVEWAY” means a short private road, whether individually owned or shared between property owners, that leads to a house or garage which is maintained by an individual or group

used for driving, servicing, parking or otherwise accommodating motor vehicles. On large estates, a driveway may be the road that leads to the house from the public road, possibly with a gate in between. A driveway may also refer to a small apron of pavement in front of a garage with a curb cut in the sidewalk. A driveway may be paved with asphalt or concrete, stone or unpaved.

“DWELLING” means any building or structure (except a house trailer or mobile home as defined by Ohio Revised Code 4501.01) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

“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 family and its household employees.

“DWELLING, SINGLE FAMILY” means a dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

“DWELLING, TWO-FAMILY” means 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” means a dwelling(s) consisting of three or more dwelling units including condominiums and townhouses with varying arrangements of entrances and common walls. Multi-family housing may include public housing and industrialized units.

“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 which clearly shows an industrialized seal but not a mobile home.

“EASEMENT, UTILITY” means privately-owned land reserved for the installation and maintenance of public utility facilities, such as water, sewer, or utility lines.

“EASEMENT, FOR ACCESS” means an open, unoccupied space or private way, other than a street, alley, or place, which is permanently reserved as the principal means of vehicular access to abutting property, and the terms of use that are of public record.

“ESSENTIAL SERVICE” means the erection, construction, alteration, or maintenance by public utilities, railroads or municipal department or commissions of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, and including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions for the public health or safety or general welfare.

“FAMILY” means one or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.

“FARM” means any parcel of land containing at least ten (10) acres which is used for gain in the raising of agricultural products, livestock, poultry, and dairy products. It includes farm structures incidental to the agricultural operation and necessary for the owners or operators of the agricultural use.

“FARM ANIMAL” means horses, ponies, mules, burros, sheep, cattle, rabbits, pigs, goats, ostrich, emu, rhea, llamas, alpacas or similar animals not normally considered a domestic animal or customary household pet.

“FARM DWELLING” means a residence for the owner and/or operation of the agricultural use.

“FEDERAL INSURANCE ADMINISTRATION” means the agency in the Federal Emergency Management Agency responsible for administering the national flood insurance program.

“FENCE” An accessory structure of definite height and location intended to serve as a decorative site feature located along the property lines; a physical barrier to ingress or egress; a screen from objectionable vista or noise; a marker; or an enclosure carrying out the requirements of this document.

“FLOATING (UNMAPPED) ZONE” means a zoning district whose requirements are fully described in the text of the Zoning Ordinance but which is unmapped. It is "anchored" to the land in response to an applicant's petition for a rezoning, almost invariably through legislative action.

“FLOOD OR FLOODING” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters, and/or,
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

“FLOOD INSURANCE RATE MAP (FIRM)” means an official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“FLOOD INSURANCE STUDY” means the official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

“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 .5 foot (1/2 foot).

“FLOOR AREA, GROSS” means the sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the walls or from the centerline of walls separating two buildings, but not including:

- (1) Attic space providing headroom of less than seven feet four inches (7'4") for less than one-third (1/3) of the attic floor area.
- (2) Basement space.
- (3) Uncovered steps of fire escapes.
- (4) Private garages, carports or porches.
- (5) Accessory water towers or cooling towers.
- (6) Accessory off-street parking spaces.
- (7) Accessory off-street loading berths.

“FRONTAGE” means the frontage, or front, of a lot that is the side nearest the street. For the purposes 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 yard requirements.

“GOLF COURSES” means a public or private area operated for the purpose of playing golf and includes a par three golf course but does not include a driving range or miniature golf course.

“GARAGE, PRIVATE” means a building or portion thereof, designed or used for the storage of motor driven vehicles or unoccupied trailers, all of which are owned by a person living on the premises.

“GARAGE, PUBLIC” means a building or portion thereof, other than a private garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor-driven vehicles.

“GRADE LEVEL-AVERAGE FINISHED” means the average of the grade of the ground at all corners of the building or other structures.

“GRADE-ESTABLISHED STREET” means the elevation established by the City or State, at the roadway center line or curb in front of the lot.

“GRADE-FINISHED” means the elevation of the finished surface of the ground adjoining the building after final grading and normal settlement.

“GRADE-NATURAL” means the elevation of the undisturbed natural surface of the ground prior to any excavation or fill.

“HABITABLE FLOOR” means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof.

“HEALTH DEPARTMENT” means the City of Conneaut Health Department, responsible for maintaining state and local health regulations.

“HOME OCCUPATION” means an occupation carried on by a resident of a dwelling as an incidental or secondary use within the same dwelling or garage.

“HOSPITAL, ANIMAL” means any building or other enclosed structure containing spaces for any animals not belonging to the operator of such facility which allows for overnight or continuous care, diagnosis and treatment of animal illnesses or injuries.

“HOSPITAL, HUMAN” means any building or other structure containing beds for at least four (4) patients allowing for overnight or continuous care, diagnosis and treatment of human ailments.

“HOTEL” means every establishment, including Bed and Breakfast and Short-Term Rentals as defined Section 1133.01, kept, used, maintained, advertised or held out to the public to be a place where sleeping accommodations are offered to guests, in which one or more rooms are used for the accommodations of such guests, whether such room or rooms are in one of several structures.

“INDUSTRIAL BUILDING” means any building or structure used for the purpose of manufacturing, processing, testing, and similar industrial use, which may generate some objectionable characteristics, such as noise, smoke, dust or pollution, requiring large sites, open storage and service areas and ready access to major transportation routes.

“JUNK YARD” means an establishment or place of business which is maintained or operated for the purpose of storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. For the purpose of this Zoning Ordinance, the term “junk yard” shall also include scrap metal processing facilities which are located within 500 feet of the nearest edge of the right-of-way of a public highway, street, or road located in the City of Conneaut.

“LOADING SPACE, OFF-STREET” An area located completely outside of any public right-of-way and on the same lot with a building or contiguous to a group of buildings, for the temporary parking of vehicles entering the premises for loading or unloading merchandise or materials.

“LOT” means a parcel of land occupied or intended for occupancy by a use permitted in these regulations, including one or more main buildings together with the accessory buildings, yard areas, and parking spaces required by these regulations, and having its principal frontage upon a street or easement of access.

“LOT AREA” means the total horizontal area within the lot lines of a lot.

“LOT, CORNER” means a lot abutting upon two or more streets at their intersection.

“LOT, DOUBLE FRONTAGE OR THROUGH” means an interior lot having frontage on two streets and where access to both streets is unrestricted.

“LOT, INTERIOR” means a lot other than a corner lot.

“LOT LINES” means the lines bounding a lot as defined herein.

“LOT LINE, FRONT” means the line separating the lot from the street on which the lot fronts. On a corner lot, the owner or developer may elect either street line as the "front lot line" subject to the approval of the Zoning Inspector. The Zoning Inspector shall approve such choice if he finds that such "front lot line" will not be injurious to existing or desirable future development of adjacent properties.

“LOT OF RECORD” means a lot which is part of a recorded subdivision or a parcel of land which has been recorded at the County Recorder's Office containing property tax records. Such lot must have remained within its original lot lines prior to the enactment of this Zoning Ordinance.

“MANUFACTURING” means manufacturing or other industrial uses which are usually controlled operations; and which by nature of the materials, equipment and process utilized, are not objectionable by reason of odor, noise, vibration, cinders, gas, fumes, dust, smoke, refuse matter or water-carried wastes. Any manufacturing or industrial process permitted in an “M” District shall comply with the performance standards.

“MOBILE HOME” means any non-self-propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so construed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand five hundred (4,500) pounds and an overall length of forty (40) feet. Such mobile home unit shall not bear an industrialized seal.

“MOBILE HOME PARK” means any site, or tract of land under single ownership, upon which three (3) or more mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

“MOBILE HOME PARK, EXISTING” means a parcel of land divided into two (2) or more mobile home lots for rent or sale for which the construction of facilities servicing the lot on which the mobile home is to be affixed, is completed before the effective date of this Zoning Ordinance.

“MOBILE HOME SPACE” means a plot of ground, in a mobile home park, designed for the accommodation of one (1) mobile home.

“MOTEL” means a building or group of buildings whether detached or in connected units, used as individual sleeping units, designed primarily for transient automobile travel, and providing for accessory off-street parking facilities and which may include one (1) dwelling unit for a bona fide caretaker or operator. The term “motel” includes buildings designed as auto courts, tourist courts, motor lodges, and similar terms.

“NEW CONSTRUCTION” means structures for which the start of construction commenced on or after the effective date of this Zoning Ordinance.

“NONCONFORMITIES” means lots, structures, uses of land and structures, and characteristics of uses, which are prohibited under the terms of the Zoning Ordinance, but were lawful at the date of the Zoning Ordinance's enactment.

“NURSING HOME, REST HOME” means any institution, however named, maintained for the care or treatment of two (2) or more individuals unrelated to the owner or operator or their spouses, employing nursing services or procedures in the care for such residents, that require treatment, technical knowledge, and skills beyond that which the untrained person possesses.

“OVERLAY ZONE” means a set of zoning requirements that is described in the Zoning Ordinance text, is mapped, and is imposed in addition to those of the underlying district. Developments within

the overlay zone must conform to the requirements of both zones or the more restrictive of the two. It usually is employed to deal with special physical characteristics such as flood plains.

"PARKING SPACE" An area, exclusive of drives, defined by painted lines, raised curbs or a combination thereof, outside the public street right-of-way that is used for the parking or temporary storage of a motor vehicle. It may be either open land or within a structure, partially or wholly enclosed.

"PASSENGER-TRANSPORTATION AGENCY" means a place, building, or part thereof where merchandise, property, or freight transported by motor vehicles, is received, stored, transferred, loaded, unloaded, delivered, or dispatched, and shall include any parking space, gasoline filling station, service or repair shop, or other accessory service operated in conjunction therewith.

"PERFORMANCE STANDARDS" means a minimum requirement or maximum allowable limit on the effects or characteristics of an industrial or manufacturing use.

"PERMITTED USES" means a use by right which is specifically authorized in a particular zoning district.

"PLANNING COMMISSION" means the Planning Commission of the City of Conneaut, Ohio, a public agency empowered to prepare a comprehensive plan and to evaluate proposed changes in land use, either by public or private developers, for conformance with the plan.

"PLANNED UNIT DEVELOPMENT(PUD)" means an area of land in which a variety of housing types and open space 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 rezoning procedures, and building design principles.

"POND" means a body of standing water smaller than a lake, often artificially formed. Such pond shall not be used as a swimming pool, as defined, unless it follows the swimming pool regulations contained in this Zoning Ordinance.

"POULTRY" means any domesticated fowl kept in confinement, except for doves and pigeons, that are bred for the primary purpose of producing eggs or meat for human consumption. "Poultry" includes chickens, turkeys, waterfowl, and game birds.

"PUBLIC USES" means public parks, schools, administrative and cultural buildings and structures owned and maintained by the City, Township or any government, board, or authority, and including public land or buildings devoted solely to the storage and maintenance of equipment and materials.

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

"RAILROAD RIGHT-OF-WAY" means that portion of railroad lands parallel to the trackage, either main line or spur, whether installed, proposed, or reserved, but owned. Such right-of-way shall be at least twelve (12) feet from the outside rail. In cuts the right-of-way maximum shall be at the top of the slope and in fill at the toe of the slope. Such right-of-way shall allow for normal maintenance and repair of existing tracks and track bed.

"RECESSION RATE" means the year-to-year loss of the bluffline due to erosion, slumping, and movement of water in Lake Erie.

"RECREATION FACILITIES" means public or private facilities depending upon the scope of services offered and the extent of use. Facilities generally require and utilize considerable areas of



land and include, but need not be limited to hunting, fishing, riding clubs, parks, miniature golf courses, amusement parks, and stadiums.

“RESOURCE AND MINERAL EXTRACTION” means any mining, quarrying, lumbering, oil or gas production, excavating process for the removal of any soil, earth, clay, sand, gravel, rock or mineral in order to supply material for construction, or energy supply, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the City.

“RETAIL ESTABLISHMENT” means any business normally found in a business district, where goods or services are offered for sale or rental directly to the consumer.

“SCHOOL, ELEMENTARY, SECONDARY, PUBLIC, OR PRIVATE” means an institution which offers instruction in the several branches of learning and study required to be taught in schools by the Ohio Common School Laws. (High-school includes junior and senior).

“SHOPPING CENTER” means commercial establishments which generally require locations on or near major thoroughfares and/or their intersection, 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.

“SHORT-TERM RENTAL” means the rental of a single-family or two-family dwelling or portion thereof used for the purpose of providing lodging of four (4) or fewer rooms for periods of less than 30 days with or without being occupied concurrently by the owner/operator. A short-term rental shall not include a house-swap or home-exchange arrangement.

“SIGN” means an identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure, or land, and which directs attention to a product, place, activity, person, institution, or business.

“SIGN, ADVERTISING” means a sign which directs attention to a business, product, activity, or service which is not necessarily conducted, sold, or offered upon the premises where such sign is located.

“SIGN, BUSINESS” means a sign which directs attention to a business, profession, service, product, activity, or entertainment, sold or offered upon the premises where such sign is located.

“SOLID WASTE” means unwanted residual solid or semisolid material including sludge as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining or demolition operations and slag and other substances which are harmful or inimical to public health or considered as a hazardous waste by the Environmental Protection Agency.

“SOLID WASTE FACILITIES” means facilities for the collection, storage, treatment, utilization processing, transporting or final disposal of solid waste.

“STATEMENT OF INTENT” means a statement of policy or objectives, often incorporated in a zoning ordinance, which outlines the broad purpose of the ordinance and its relationship to the comprehensive plan; frequently, a statement preceding regulations for individual districts, which helps to characterize the districts, and their legislative purpose. When the application of particular district requirements is challenged in court, the courts rely on the intent statement in deciding whether the application is reasonable and related to a defensible public purpose.

“STORAGE BUILDING” means all buildings and structures or parts thereof shall conform to the State of Ohio Building Code for design and building specifications. Such structures may be used for the storage of goods, wares or merchandise, and combustible materials. All such uses shall conform to the performance standards.

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

“STREET” means a public or private thoroughfare which affords the principal means of access to abutting property.

“STREET RIGHT-OF-WAY LINE” means a dividing line between a lot or tract and a contiguous street.

“STRUCTURE” means anything constructed or erected, the use of which requires location on, in, or under the ground, or attachment to something having a location on the ground, including buildings, and walls or fences exceeding four and one half (4½) feet in height. In these regulations reference to buildings includes structures and vice versa.

“SUBSTANTIAL IMPROVEMENT” means any structural alteration, repair, reconstruction, or improvement of a structure the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences.

“SWIMMING POOL, CLUB” means an artificial body of water with a controlled water supply, over eighteen (18) inches in depth, or two-hundred (200) square feet of surface area, used collectively by numbers of persons for swimming or recreative bathing and where such persons are members of a club or association having twenty-five (25) or more members, or families of club members, or guests of club members and where the public is otherwise excluded.

“SWIMMING POOL, PRIVATE” means an artificial body of water with a controlled water supply over eighteen (18) inches in depth or two-hundred (200) sq. ft. of surface area, to be used solely without payment of any fee for use or swimming lessons.

“SWIMMING POOL, COMMUNITY” means an artificial body of water with a controlled water supply over eighteen (18) inches in depth or two-hundred (200) sq. ft. of surface area, used collectively by numbers of persons for swimming, or recreative bathing, but not including family swimming pools or club swimming pools.

“TEMPORARY STRUCTURE” means structures of a temporary nature erected for a period not to exceed twelve (12) months for such uses as construction offices or storage buildings at a construction site.

“TRAILER, UTILITY OR VACATION” means any vehicular or similar portable structure used at temporary site locations such as trailers at a construction site, or a vacation trailer. The term "trailer" does not mean “mobile home” as defined and used in this Zoning Ordinance.

“USE” means the purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.

“VARIANCE” means a device which grants a property owner relief from certain provisions of the Zoning Ordinance when, because of the particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make more money. A variance may be granted, for example, to reduce yard or setback requirements, or the number of parking or loading spaces; or to increase the permitted size of a sign. Authority to decide variances usually is vested in the Board of Zoning Appeals.

“VISIBILITY AT INTERSECTIONS” means on a corner lot in any residential district in which nothing is permitted to be built, placed or grown in a way that would impede visibility. Its purpose is to assure that vehicles and pedestrians have adequate and safe visibility

“WELL” means any borehole, whether drilled or bored for production, extraction, or injection of any gas or liquid mineral, excluding potable water to be used as such, but including natural or artificial brines and oil field water.

“WHOLESALE ESTABLISHMENT” means an establishment that engages in the sale of goods, merchandise and commodities for resale by the purchaser.

“YARD” means an open space, other than a court, on the same lot with a building, unoccupied and unobstructed from the ground upward.

“YARD, FRONT” means a yard extending across the full width of a lot and measured perpendicularly between the street right-of-way line and the front line of the building structure.

“YARD, REAR” means a yard extending across the full width of the lot between the rear lot line and the nearest line or point of the main building.

“YARD, REQUIRED” means the minimum open space as specified in these regulations for front, side, street side, and rear yards, as distinguished from any yard in excess of the minimum required.

“YARD, SIDE” means a yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the main building.

“ZONING” means a police power measure, enacted primarily by general purpose units of local government, in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within each district.

“ZONING CERTIFICATE” means the document issued by the Zoning Inspector authorizing building, structures or uses consistent with the terms of this Zoning Ordinance and for the purpose of carrying out and enforcing its provisions.

“ZONING DISTRICT” means any area of the City of Conneaut, within which the zoning regulations are uniform.

“ZONING DISTRICTS MAP” means the map setting forth the boundaries of the zoning districts of all of the City of Conneaut, Ohio.

“ZONING INSPECTOR” means the Zoning Inspector of the City of Conneaut, a local official responsible for granting zoning permits and, following a determination by the Board of Zoning Appeals, for special permits and variances. The Zoning Inspector shall administer and enforce the Zoning Ordinance for the City of Conneaut.

“ZONING ORDINANCE” applies to Zoning Ordinance No. 33-82 passed in 1982, and any further amendments as approved by the City Council. The Zoning Ordinance consists of two parts: a text and a map.

SECTION 2. That all other prior ordinances found to be inconsistent with this ordinance are hereby repealed.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council or any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is not declared to be an emergency measure in the interests of public peace, health and safety and, shall take effect thirty (30) days after passage.

Passed this 9<sup>th</sup> day of May, 2022.

*Henry G. Mancini*  
President of Council

ATTEST:

*Pamela O'Connell*  
Clerk of Council

I, *Pamela O'Connell*, Clerk of the Council of the City of Conneaut, Ohio, do hereby certify that the foregoing is a true and accurate copy of *Ord. No. 97-21* passed on the *9<sup>th</sup>* day of *May*, 20 *22* by said Council.  
*Pamela O'Connell*  
Clerk of Council *6/3/22*