

Chapter 1261

DEFINITIONS

1261.01 RULES FOR THE INTERPRETATION OF TERMS AND WORDS USED WITHIN THIS ZONING CODE:

- A. Words used in the present tense shall be interpreted to include the future tense.
- B. Words used in the singular number shall include the plural number, and the plural number shall include the singular number.
- C. The word “SHALL” is mandatory and not discretionary.
- D. The word “PERSON” includes a firm, co-partnership, company, association, organization, corporation, individual, or any legal entity which may own and/or use land or buildings.
- E. The word “STRUCTURE” shall include the word “BUILDING”.
- F. The word “LOT” includes the words “PLOT” and “PARCEL”.

1261.02 LIST OF DEFINITIONS:

ACCESSORY USE, BUILDING, OR STRUCTURE – A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure or building.

ACCESSORY PAVEMENT AREA– A permitted pavement area, in addition to the permitted driveway(s), that is attached to the primary driveway and which is designed and intended for the short term parking or maneuvering of vehicles.

AGRICULTURAL ANIMALS - Animals customarily considered to be accessory to an agricultural use, whether intended for personal enjoyment, work, food or byproducts, including chickens, rabbits, goats, sheep, cattle, pigs, geese, turkeys, guinea fowl, and ratites and any similar animals. (Ord. 2014-128)

ANCHOR TENANT – The main store within a Shopping Center, comprising at least 80,000 square feet in area, and constituting the principal traffic generator within the Shopping Center development in question. (Ord. 2009-197)

APARTMENT – A suite of rooms in an apartment house, which suite is arranged, intended or designed to be occupied as the residence of a single family.

ASSEMBLY, RESTORATION, OR REMANUFACTURE OF AUTOMOBILES – A use consisting of the assembly of automobiles incident to the preparation of such vehicles for off-site sale, and/or any activity that is substantially similar to the foregoing, such as the comprehensive restoration and customization of motor vehicles. Any such use shall be located entirely within an enclosed building and shall provide no external indication of the assembly, restoration, or remanufacturing process, including but not limited to noise, sound, odor, vibration, or the outside storage of parts, scrap, supplies, equipment, or vehicles. For the purposes of this ordinance, the assembly, restoration, or remanufacture of automobiles shall not include the provision of general automotive repair and/or maintenance services. (Ord.2013-112).

ASSISTED LIVING FACILITY - An integrated facility providing a combination of housing, supportive services, personalized assistance, and health care designed to respond to the needs of those who require assistance with the activities of daily living. Assisted living facilities may have central or private kitchens, dining areas, recreational areas, or other facilities, but shall have private bedrooms and living quarters. (Ord. 2014-128)

BANKED PARKING - Parking spaces that are designated on a site plan and which have received City approval but which by City consent have not been immediately installed. No structure may be located in an area designated as banked parking.

BANQUET CENTER - An establishment which is rented by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries and similar functions. A banquet center may include an onsite kitchen and catering services. (Ord. 2012-151)

BAR OR TAVERN – An establishment or part of an establishment devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages. For the purposes of this code the terms “bar” and “tavern” shall be considered to be synonymous.

BASEMENT – A building story located more than three (3) feet below the finished grade.

BUFFER – A strip of land reserved for the purpose of blocking the view of a residential, office, institutional, commercial, or industrial use from an adjacent property or roadway, at all seasons of the year, through the use of landscaping materials (trees, shrubs, earth mounding, etc.), or a fence. For the purposes of this code the terms “buffer”, “landscape buffer”, “site buffer”, and “buffer strip” shall be considered to be synonymous.

BUILDING - A structure having a roof supported by columns or walls for shelter, support, or enclosure of persons, animals, or chattels. When separated by division walls from the ground up without openings, each portion of such structure shall be deemed a separate building.

BUILDING AREA, COMMERCIAL AND INDUSTRIAL – All building floor area including basements or floors wholly or partially below grade.

BUILDING LINE – A line running parallel to the street right of way line at any story level of a building and representing the distance which all or any part of the building is to be set back from the said right of way.

BULK STORAGE- Any unpackaged material or product, which is placed in a manner that permits such material to pile or flow loosely on the ground, and is not in a finite container or package that is stationary or can be moved from one place to another. (Ord. 2010-38)

BUSINESS UNIT - Each separate portion of a commercial or industrial building that is devoted to a distinct and independent commercial or industrial use.

CAR PORT – A covered automobile parking space not completely enclosed by walls or doors. A car port shall be subject to all the provisions prescribed in this Zoning Code for an attached garage or accessory building.

CARRY OUT SERVICE – A restaurant operation where food is usually ordered by telephone, or at counters, and prepared on the premises for consumption off the premises. Carry out service is only permitted as an accessory use to Fast Food or Sit Down Restaurant businesses.

CITY - Where used within this code the term “City” shall refer to the “City of Solon”.

CROSS ACCESS DRIVE - A vehicular access way connecting two or more parking areas on adjacent lots.

CUSTOMARY HOME OCCUPATION – An occupation incidental and secondary to the use of the dwelling for residential purposes being conducted wholly within a dwelling.

DECORATIVE WALL – An ornamental wall constructed of stone or brick or other material that is determined by the City of Solon to be substantially similar in quality and appearance, that is primarily utilized for landscaping, screening, or containment purposes as opposed to a retaining wall required to stabilize site topography. (Ord. 2006-232)

DETENTION BASIN - A flow control structure that is used to contain stormwater for a limited period of time, and provides protection for areas below it by containing stormwater. The water is discharged from the basin until the basin is empty. (Ord. 2007-128)

DISTRIBUTING - A use where goods are received and/or stored for delivery to the ultimate customer at remote locations, primarily in association with industrial and wholesaling processes. (Ord. 2014-129)

DISTRICT – A portion of the territory of the City of Solon within which certain uniform requirements or various combinations thereof apply under the provisions of this Zoning Code.

DRAINAGEWAY - Use of the land to collect and transport stormwater runoff in a swale, ditch, channel, or stream. (Ord. 2007-128)

DRIVEWAY – The area of a residential lot reserved for vehicular ingress and egress.

DRIVEWAY, PRIMARY – A driveway, accessing a public or private street at no more than two (2) points, that is designed and intended to provide vehicular ingress and egress to the primary garage on the lot.

DRIVEWAY, SECONDARY – A driveway diverging from a primary driveway that is designed and intended to provide vehicular ingress and egress to an accessory garage.

DRIVE-THROUGH SERVICE – Any restaurant operation permitting or encouraging either consumption of food, the placing of orders, or serving to occur while any customer is within a motor vehicle or at any facility on the premises.

DRIVE-THROUGH SERVICE BUSINESS – Any building or use that permits or encourages the placing of orders or serving of products or services to occur while any customer is within a motor vehicle or at any other facility on the premises.

DWELLING – A building, or portion thereof occupied by one (1) family for residential purposes as a single housekeeping unit. In no case shall a tent, cabin, recreational vehicle, or other temporary or transient structure or facility be considered a dwelling.

DWELLING, ASSISTED LIVING – A residential dwelling intended for the elderly providing such services as assistance with daily activities, such as dressing, grooming, bathing etc., such as permitted within “R-3-A” (Senior Citizen Residential) zoning district

DWELLING, SINGLE FAMILY – A building occupied or constructed to be occupied exclusively for residential purposes by one (1) family.

DWELLING, TWO FAMILY – A structure containing two (2) dwelling units, each having direct access to the outside.

DWELLING, MULTI FAMILY – A structure containing three (3) or more dwelling units, each having direct access to the outside, and/or independent access to a common corridor providing access to the outside.

DWELLING UNIT – A single unit providing complete, independent living facilities for one (1) family including permanent provisions for living, sleeping, eating, cooking and sanitation.

EFFECTIVE DATE – The date at which time this Zoning Code was initially adopted, and any dates of Amendments thereto, as adopted by City Council.

FAMILY – One (1) or more persons related by blood, marriage, adoption, or not more than four (4) persons not related by blood, marriage, or adoption, occupying a dwelling unit as a single housekeeping unit.

FENCE – An artificially constructed, free standing structure that is used as a means of providing protection, decoration, privacy screening, or confinement and which is directly attached to the ground by posts, poles or other supporting members, as opposed to a railing or screening device that is entirely attached to and supported by a principal structure or portion thereof. For the purposes of this code the supporting members of a fence shall be considered to be part of the fence.

FRONTAGE, STREET - The distance along which a property line of a lot adjoins a public or private street.

GARAGE – A permitted structure that is designed and intended for the parking and storage of automobiles, large vehicles (as defined under Section 1287.10 of this code), and/or any other vehicle that is determined by the City of Solon to be substantially similar to the foregoing. (Ord. 2011-206)

GARAGE, ACCESSORY – A garage, detached from the residence, that is supplementary to the primary garage.

GARAGE, PRIMARY – A structure which serves as the principle garage on the property, and which shall either be the garage that is attached to the residence, or the principal detached garage where there is no attached garage.

GARAGE APRON - That portion of a primary or secondary driveway that widens from the permitted driveway pavement to provide vehicular access to the bays of a garage, and which at no point is wider than that portion of the garage occupied by the vehicle bays plus one foot on each side.

GASOLINE STATION – Any use that includes the dispensing of fuel for vehicles as a primary or accessory function. (Ord. 2009-197)

GENERAL AUTOMOTIVE REPAIR AND/OR MAINTENANCE SERVICES – Any use that in whole or in part provides automobile repair or maintenance services to the public, including but not limited to any of the following: oil or fluid changes; tire installation; wheel balancing; front end alignments; general engine, frame, drive train, upholstery, body, electrical, heating, and/or cooling system repair or replacement; car audio installation; glass repair, automotive detailing; car painting; and/or any substantially similar activities. (Ord. 2013-112)

GRADE, ESTABLISHED - The elevation of the street curb as fixed by ordinance.

GRADE, EXISTING- The existing grade or elevation of the ground surface that existed prior to man made alterations such as grading, grubbing, filling, mounding or excavating.

GRADE, FINISHED- The final elevation of the ground surface after manmade alterations, such as grading, grubbing, filling, mounding, or excavating, have been made on the ground surface.

GREEN SPACE – An area of a lot or parcel that is set aside for grass, vegetation, or other landscaping that is maintained exclusive of driveways, parking areas and structures. For the purposes of this code the terms “green space”, “green area”, “open space” and “open area” shall be considered to be synonymous.

HEIGHT OF BUILDING - The height of any building shall be considered to be the vertical distance measured at the principal front from the established grade, or from the natural grade if higher than the established grade to the highest point of the building.

HELICOPTER- An airborne vehicle used for the transportation of persons or materials and whose support in the air is normally derived from the vertical lift or force produced by airfoils or wings mechanically rotated about an approximately vertical axis.

HELISTOP - An area which is used for the landing, loading and taking-off of helicopters, but does not include facilities for maintenance, fueling, or storage of helicopters.

INDUSTRY, HEAVY – Manufacturing or other enterprises that produce significant external indications of industrial activities occurring on the premise due to smoke, fumes, noise, dirt, vibration, odor, etc., or which pose significant risk due to the involvement of explosive, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process. Examples of heavy industrial uses are: a. Processing, assembling, packaging, and/or testing of cars, trucks, recreational vehicles, large industrial, construction or mining equipment, and/or any similar products or components. b. Machine Shops, Metal Fabricating or Stamping Plants, or any similar use or activity, except as permitted “process of machining” accessory use as regulated herein. c. The manufacture of chemicals, plastics, or any other volatile substance or product. (Ord. 2010-38)

INDUSTRY, LIGHT - Any enterprise engaged in research and development activities, the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi finished products from previously prepared materials, which activities are conducted wholly and completely within an enclosed building. Any activity that is substantially similar to the foregoing shall also be permitted. Light industrial uses shall operate in a manner so as to minimize measurable external effects such as noise, smoke, lighting, soot, dirt, vibration, odor, outdoor storage, etc. Examples of permitted light industrial uses include, but are not limited to, those producing or processing apparel, appliances, office machine, electronic equipment, cosmetics and/or toiletries, food, paper products, medical appliances, optical goods, bicycles, ceramic products, tools, hardware and/or any similar items or components. (Ord. 2010-38)

INDUSTRY, MEDIUM - Any enterprise, engaged in research and development activities, the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi finished products for which the intended product(s) are made from raw materials on a large scale. Medium Industry produces moderate external effects such as smoke, noise, soot, dirt, vibration, odor, etc. (Ord. 2010-38)

LIVING AREA - The portion of a dwelling unit that is comprised of the sum of the finished gross floor areas above the basement level and not more than three (3) feet below

the finished grade, not including attic spaces, terraces, breezeways, open porches, decks, uncovered steps, and garages.

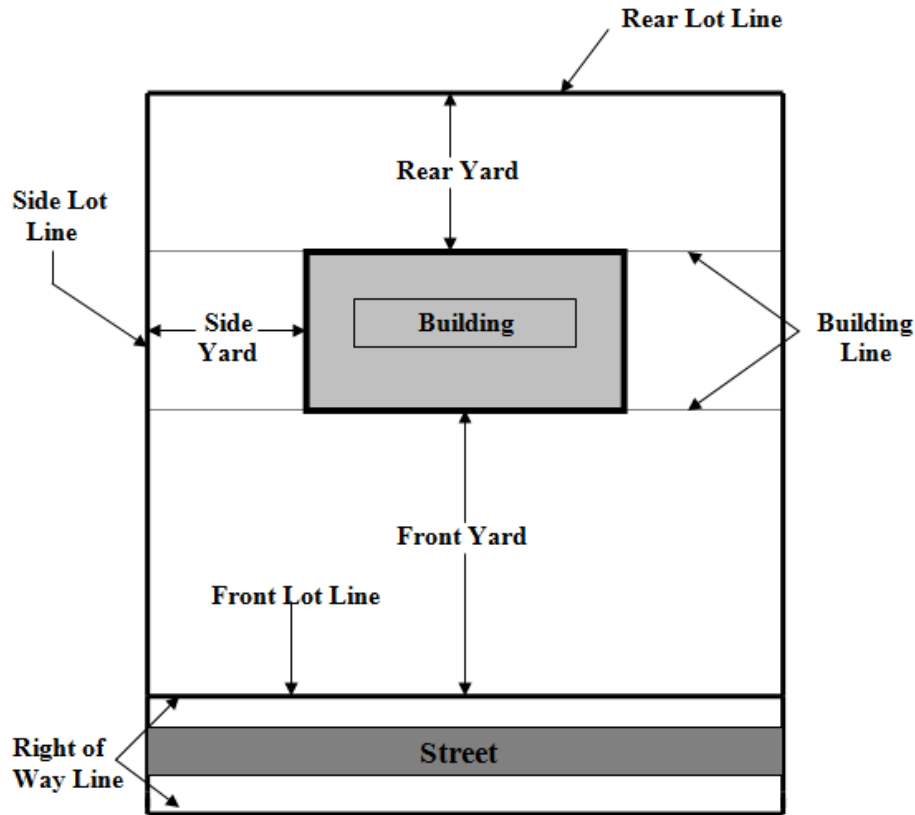
LOT LINE, SIDE - 1.) Any lot line that is not a front or rear lot line; 2.) A side lot line separating a lot from a street is a side street lot line; 3) A side lot line separating a lot from another lot is an interior side lot line.

LOT LINE, FRONT – In the case of an interior lot, a line separating the lot from a street; and in the case of a corner lot, a line separating the narrowest frontage of the lot from the street.

LOT LINE, REAR - The lot line that is opposite and most distant from the front lot line. The rear lot line of an irregular, triangular, or gore lot shall, for the purposes of this code, be considered to be a line entirely within the lot, being at least ten (10) feet long, and being parallel to and most distant from the front lot line.

LOT, INTERIOR - A lot other than a corner lot.

LOT, CORNER - A lot located at the intersection of two (2) or more streets.



LOT OF RECORD – A lot that is part of a subdivision that has been recorded in the office of the County Recorder, or a lot or parcel of land, the deed of which has been recorded in the office of the County Recorder.

LOT WIDTH – The horizontal distance between side lot lines measured at the building line.

NIGHTCLUB - An establishment operated as a place of entertainment, characterized by any or all of the following as a principal use: 1) live, recorded, or televised entertainment, including but not limited to performance by musicians, comedians, or magicians; 2) Dancing.

NON-CONFORMING USE – A use of property that lawfully existed when brought in to existence but, by subsequent regulation becomes no longer conforming.

NON-CONFORMING FEATURE – A characteristic of a building or property such as setbacks, parking, loading, or landscaping, that lawfully existed prior to the enactment of the current ordinance.

OUTDOOR RECREATIONAL FIREPLACE - Any permanent structure that is primarily intended to provide heat and/or cooking facilities to the exterior areas of any residence or premises through the burning of wood, fossil fuels, or other combustibles, or through the use of electricity or any other energy source approved within this code, and which is either detached from the residence, or which is attached to the residence and exceeds three (3) feet in height. (Ord. 2007-2)

PARATRANSIT – A form of public transportation characterized by the flexible routing, scheduling and dispatching of vehicles such as taxis, limousines, vans, and buses for the purpose of providing personalized transportation services on a demand responsive basis.

PARKING AREA - An open, hard surfaced area including designated parking spaces and aisleways, that is used for the temporary storage of operable passenger automobiles and commercial vehicles, and which is available to the public, whether for compensation, free, or as an accommodation to clients or customers. For the purposes of this code the terms “parking area” and “parking lot” shall be considered to be synonymous.

PARKING AISLE - That portion of a parking area that is utilized to provide area for vehicular maneuvering and access to the building or use on the property and to the accessory off-street parking spaces.

PRACTICAL DIFFICULTIES – Test by which the appropriateness of an area variance request is measured as per *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83d, 491 N.E. 2d 692 (1986).

PREMISES– The lot, together with any buildings and structures that may be located thereon.

PRINCIPAL BUILDING, STRUCTURE, OR USE – The main use to which the premises is devoted and the primary purpose for which the premises exists. For the purposes of this code the terms “principal” building, structure, or use shall be considered to be synonymous with the terms “primary” building, structure, or use.

PROFESSION - An occupation that uses specialized knowledge or attainments for compensation or profits such as a doctor of medicine, doctor of osteopathy, dental surgeon, oral surgeon, orthodontist, periodontist, optometrists, doctor of veterinary medicine, chiropractor, podiatrist, audiologist, speech pathologist, psychologist, psychiatrist, attorney, architect, accountant, professional engineer, land use planner, or financial planner. The term “profession” shall be distinct from an occupation which is primarily commercial or mechanical in nature.

RAW MATERIALS – Any material, whether gas, liquid, or solid, which is in its natural condition as found in the environment and has not been substantially refined, processed or coated or treated. (Ord. 2010-38)

RECREATIONAL COURT – An area designed and intended to be utilized for one or more sports activities including basketball, volleyball, tennis, badminton, bocci, squash, or any similar activity. A recreational court shall comply with all of the relevant requirements of this code pertaining to structures and uses of property.

RETAINING WALL - A wall or similar structure specifically intended to be used at a grade change for the purpose of holding soil on the up-hillside from slumping, sliding, or falling. Retaining walls shall be specifically required and/or approved by the City Engineer and/or his/her designee. (Ord. 2006-232)

RESTAURANT, CASUAL - A restaurant primarily devoted to the immediate consumption of food within the building with customers seated at tables or counters. Carry-out service shall only be permitted as an incidental and minor accessory use to the Casual Restaurant use and drive-through service is prohibited. (Ord. 2014-129)

RESTAURANT, FAST FOOD – A restaurant where food may be consumed either onsite or off, and where most customers order food from a posted menu board at a counter or from a motor vehicle, and where food and beverages are dispensed in disposable wrappings or containers with disposable utensils. Carry-out and/or drive-through service may be a principal component of a fast food restaurant. (Ord. 2014-129)

RESTAURANT, SIT DOWN – A restaurant devoted to immediate consumption of food within the building with the placing of orders, serving, and consumption all taking place at tables or counters where customers are seated, and involving the normal use of individual menus and non-disposable dishes and utensils. Carry-out service shall only be permitted as a minor accessory use to the Sit Down Restaurant use, and drive-through service is prohibited. (Ord. 2014-129)

RETENTION BASIN - A flow control structure that is used to contain stormwater for a limited period of time, and provides protection for areas below it by containing stormwater. Some water remains in the basin area. (Ord. 2007-128)

RIGHT-OF-WAY LINE - The limit or boundary of an area dedicated for public or private use to accommodate roadways and/or other transportation systems and necessary public utility infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines). In no way shall a right-of-way be construed to mean an easement.

SET-BACK – The distance separating the closest point of any structure or use and the lot lines of the lot.

SHOPPING CENTER: A group of three (3) or more commercial entities comprising in excess of fifteen thousand (15,000) square feet of gross leasable area including at least one (1) retail use, and which is planned and designed to function as an interrelated development, as evidenced by both shared driveways and common parking areas.

SIGN, CHANGEABLE COPY – A sign or any portion thereof that is designed to accommodate letters, characters, logos, symbols, illustrations, animation, lighting patterns, etc., and which is designed to be changed manually or electronically to provide different information and/or appearances. (Ord. 2010-129)

SIGN, DIRECTIONAL – A sign that is solely intended to guide the circulation movements of motorists or pedestrians on the site. (Ord. 2010-129)

SIGN, DOUBLE FACED – A sign constructed to display its message on the outer surfaces of two (2) identical and opposite parallel planes.

SIGN, GROUND MOUNTED – A free standing sign where the base of the sign is on the ground or a maximum of twenty four (24) inches above the adjacent grade.

SIGN, WALL – A sign mounted flat against, or painted on the facade of a building or structure, with the exposed face of the sign in a plane parallel to the face of the wall.

SIGN, MULTI-TENANT - A ground mounted sign designed and intended to provide sign space for more than one (1) separate tenant on the premises.

SPORTS TRAINING FACILITY - A large scale facility occupying at least eight thousand (8,000) square feet of area and being wholly located within an enclosed building and being devoted exclusively to advanced and/or professional, college, or high school level instruction

and training relating to specific physical sports activities such as gymnastics, boxing, soccer, golf, baseball, or basketball. The term “sports training facility” shall be considered to be distinct from commercial recreational service uses catering to the general public such as health and fitness clubs, shooting ranges, archery ranges, racquet clubs, batting cages, etc..

STABLE - A building designed and used exclusively for the housing of horses, mules, or ponies.

STORM SEWER - A series of buried pipes, manholes, catch basins, or culvert pipes that are designed to drain excess rain and groundwater from paved streets, parking lots, sidewalks, and roofs, and convey to a drainage way. (Ord. 2007-128)

STORMWATER - Water that originates during precipitation events, snowmelt, or other runoff sources. (Ord. 2007-128)

STORM WATER MANAGEMENT SYSTEM - All aspects of the system designed to effectively regulate and control storm water runoff emanating from one property or development to another, and which includes but is not limited to retention basins, detention basins, open waterways, and drainage easement areas. (Ord. 2007-128)

STORMWATER RUNOFF - Water from rain, snowmelt, or other sources, that flows over the land surface. (Ord. 2007-128)

STREET – Any vehicular way that: (1) is an existing state, county, or municipal roadway; or, (2) is shown on a plat approved pursuant to law; or, (3) is approved by other official action. The term street shall include the terms road and highway. Unless otherwise indicated, the term street shall refer to both public and private streets.

STREET, ARTERIAL - A primary street that serves the major traffic movements within the City. For the purposes of this code arterial streets shall include Bainbridge Road, SOM Center Road (SR91), Aurora Road(SR43), Solon Road, Richmond Road, Miles Road, Cannon Road, Cochran/Harper Roads, Liberty Road, and Pettibone Road.

STREET, EXPRESSWAY - A primary divided highway for through traffic with full or partial control of access and generally with grade separation at major intersections. Street Expressways include SR422.

STREET, COLLECTOR – A secondary street that is primarily intended to carry traffic from local streets to the major system of arterial streets and highways.

STREET, LOCAL - A secondary street that is primarily intended to provide vehicular access to abutting properties, and to discourage through traffic.

STREET, CUL-DE-SAC – A secondary street open at one end to vehicular traffic and permanently closed at the other end with a vehicular turnaround.

STREET, PRIMARY - Any Arterial or Expressway street.

STREET, SECONDARY - Any street that is not an Arterial or Expressway, including Local, Collector, and Cul-de-Sac Streets.

STREET ACCESS DRIVE – A hard surface area that is typically perpendicular to a street and which is designed and intended to provide direct access from the street to a parking area.

STREET LOAD GARAGE - Any garage in which the door(s) that provide access to the vehicle bays directly face a street to which the driveway has access. (Ord. 2006-23)

STRUCTURE – Any thing erected, constructed, or reconstructed on a foundation, posts, piles, skids, sills, or any other means of support, whether such foundation, posts, piles skids, sills, or other means of support are permanently located in, or attached to, the ground. The word “structure” shall include, but not be limited to the word “building”.

SUBDIVISION IDENTIFICATION SIGN - A sign that is designed and intended to identify an approved and recorded residential subdivision by placement at the principal vehicular entry points to that subdivision. (Ord. 2016-27)

SWIMMING POOL - A pool or tub designed to hold water, constructed either above or below grade, and which comprises two hundred fifty (250) square feet of water surface area or more, or which has a depth at any point exceeding two (2) feet, or both.

SWIMMING POOL, INGROUND – A swimming pool located in an excavation at or below the surface of the ground.

SWIMMING POOL, ABOVE GROUND- A swimming pool in which the typical elevation of the water surface is above the surface of the ground.

USE, ACCESSORY - A use, building or structure located on the same lot with, and being of a nature customarily incidental and subordinate to, the principal use, building, or structure. (Ord. 2014-128 and Ord. 2014-129)

USE, PRINCIPAL - The main use, building, or structure to which the premises is devoted and the primary purpose for which the premises exists. (Ord. 2014-128 and Ord. 2014-129)

USE, PROHIBITED - A use, building, or structure that is not permitted within a zoning district. (Ord. 2014-128 and Ord. 2014-129)

USE, SUBSTANTIALLY SIMILAR - A use that is not explicitly listed as a principal, accessory, or prohibited use, within a particular zoning district, but which possesses characteristics and impacts that are so similar to a specifically listed principal, accessory, or prohibited use as to make the two uses virtually equivalent. The determination as to whether a use qualifies as a substantially similar use shall be at the sole discretion of the City of Solon. (Ord. 2014-128 and Ord. 2014-129)

VARIANCE – A departure from any provision of the zoning requirements for a specific parcel that does not change the Zoning Ordinance, City Charter, or the underlying zoning of the parcel. A variance is granted only upon the demonstration of Practical Difficulty as per *Duncan v. Village of Middlefield*, 23 Ohio St.3d 83d, 491 N.E. 2d 692 (1986) and subsequent applicable cases decided by the Ohio Supreme Court that further defines the standards by which an area variance may be granted.

VARIANCE, AREA - A variance that would allow a deviation from the dimensional (ie: height, bulk, set-backs, etc.) requirements of the ordinance. The appropriateness of such variances are subject to the recommendation of the Board of Appeals and subsequent final determination by City Council.

VARIANCE, USE – A variance that authorizes the property owner to establish a use of property that is otherwise prohibited by code. Such variances are not permitted under the Charter of the City of Solon.

VEHICLE – Any auto, truck, bus, van, tractor, lawn mower, trailer, camper, motorcycle, boat, bicycle, watercraft, or any other device for the transportation of people or property.

WAREHOUSING - Moderate to long term storage of goods, materials, and/or equipment primarily in association with industrial and distribution processes. The term "warehousing" shall not be considered to include commercial storage businesses available to the general public, or the short term parking or storing of vehicles, equipment, materials, for dispatching on a daily basis. (Ord. 2014-129)

WORKMANLIKE – Executed in a skilled manner; e.g. generally plumb, level, square, in line, flush, free from damaged or inconsistent materials, and without marring adjacent work. (Ord. 2009-285)

YARD, SIDE - An open space located between the side lot line and the nearest line of the building or use on the lot. The width of a side yard is the shortest distance between the side lot line and the nearest point on the building or use.

YARD, FRONT- An open space free of any buildings extending across the full width of a lot between the front lot line and the front line of the principal building or use on the lot. The depth of a front yard is the shortest distance between the front lot line and the nearest point of the building or any projection thereof.

YARD, REAR – An open space extending across the full width of a lot located between the rear lot line and the rear line of the line of the principal building or use on the lot. The depth of a rear yard is the shortest distance between the rear lot line and the nearest point on the building or use.

YIELD PLAN – A detailed plan drawn to scale designating the maximum number of residential living units that can reasonably constructed on a property in accordance with the requirements of the City of Solon Codified Ordinances as well as all other local, state, and federal regulations. A yield plan shall accurately designate proposed lot dimensions; proposed building footprint dimensions; proposed building set-backs from all property lines; proposed road configuration and dimensions, existing site topography at five (5) feet intervals; existing streams, lakes, ponds and other bodies of water; existing wetlands; existing easements; existing structures; existing roadways; and any other existing property conditions that would remove land area from potential development. The accuracy and acceptability of the conditions indicated on the yield plan shall be subject to City confirmation.

ZONING DISTRICT - A specifically delineated area of the City within which regulations and requirements uniformly govern the use, spacing, and size of land and buildings.

ZONING DISTRICT, RESIDENTIAL – Any zoning district within the City in which the primary permitted use of property is residential dwelling units. For the purpose of this code Residential zoning districts shall include any “R” designated zoning district including the “R-1-A”, “R-1-B”, “R-1-C”, “R-1-D”, “R-1-E”, “R-1-F”, “R-2”, “R-3”, and “R-3-A” zoning districts.

ZONING DISTRICT, NON-RESIDENTIAL -Any zoning district within the City in which uses other than residential dwelling units are the primary permitted uses. For the purposes of this code Non-residential zoning districts shall include any “O”, “C”, or “I” designated zoning district including the “O-1”, “O-2”, “C-1”, “C-2”, “C-3”, “C-3-A”, “C-4”, “C-5”, “C-6”, “I-1”, and “I-2” zoning districts. (Ord. 2010-39)

ZONING DISTRICT, OFFICE – A non-residential zoning district within the City in which office or substantially similar uses are the primary permitted uses. For the purposes of this code Office zoning districts shall include any “O” designated zoning district including the “O-1”, and “O-2” zoning districts.

ZONING DISTRICT, COMMERCIAL - A non-residential zoning district within the City in which retail, service, or substantially similar uses are the primary permitted uses. For the purposes of this code non-residential zoning districts shall include any “C” designated zoning district including the “C-1”, “C-2”, “C-3”, “C-3-A”, “C-4”, “C-5”, and “C-6”, zoning districts. (Ord. 2010-39)

ZONING DISTRICT, INDUSTRIAL - A non-residential zoning district within the city in which industrial, manufacturing, warehousing, or substantially similar uses are the primary permitted uses. For the purposes of this code Industrial zoning districts shall include any “I” designated zoning district including the “I-1”, and “I-2” zoning districts.

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