

PARKING SPACE: The area required for parking one automobile, which in this Law is held to be in an area not less than nine (9) feet wide and not less than eighteen (18) feet long not including driveways.

PARKING STRUCTURE: Any privately owned structure(s) in which motor vehicles may be parked or stored that is not accessory to any other use on the same lot, and contains parking spaces rented to the general public or reserved for a group of individuals by the hour, day, week, month, or year.

PERSONAL SERVICE ESTABLISHMENT: A commercial operation, office, store, or other place of business catering to the personal needs of a customer, such as normally conducted by a photographer, printing or graphic arts, barber, beautician, tailor, dressmaker, or similar occupation.

PLAT: A map, generally of a subdivision, showing the location, boundaries, and ownership of individual properties.

PREMISES: A lot together with all the buildings and uses thereon.

PROFESSIONAL OFFICE: A non-retail service oriented office or agency principally occupied by a licensed professional such as a physician, dentist, lawyer, engineer, architect, accountant, computer programmer, consultant, insurance broker, travel agent, real estate agent, or similar occupation.

RECREATION VEHICLE: (See TRAVEL TRAILER).

REFLECTOR, SOLAR: A device for which the sole purpose is to increase the solar radiation received by the solar collector.

REPAIR SHOP, PERSONAL SERVICE: A store or other place of business at which is conducted the repair of personal customer items, such as shoes, clothing, jewelry, etc.

RESTAURANT, FAST FOOD: An establishment where food and/or beverages are sold in a form ready for consumption and where, by design or packaging techniques, all or a significant portion of the consumption can or does take place outside the confines of the building.

RESTAURANT, STANDARD: Any establishment, however designed, whose primary use is preparation and sale of food for consumption to patrons seated within an enclosed building or on the premises. However, a snack bar or refreshment stand at a public or quasi-public community swimming pool, playground, play-field or park operated by the agency, or group, or an approved vendor, operating the recreational facilities and for the convenience of the patrons of the facility shall not be deemed to be a restaurant.

RETAIL BUSINESS: A commercial establishment or activity involving primarily the sale of merchandise or stock-in-trade to the public.

RIGHT-OF-WAY: The property under public ownership or easement normally used for movement of vehicles, and or persons, including, but not restricted to, any pavement area.

SATELLITE TELEVISION ANTENNA: An antenna the purpose of which is to receive television and/or radio signals from orbiting satellites.

SETBACK: The minimum horizontal distance between the line of a building or structure and the front, side, and rear property line.

SHOPPING CENTER: A group of three (3) or more retail stores in a single structure, depending mostly on customers coming by automobile and having parking facilities which are integrated with the Site Plan and the design of the stores.

SIGN: Any structure, or part thereof, or any device attached to a structure or painted or represented on a structure which shall display or include any lettering, wording, model, drawing, picture, banner, flag, insignia, device, marking or representation used as, or which is in the nature of an announcement, direction, or advertisement, subject to the requirements of Article 5-J of this Law. A "sign" does not include the flag or insignia of any nation, of any governmental agency, or of any political, educational, charitable, philanthropic, civic, professional, religious, or similar organization, campaign, drive, movement, or event, which is temporary in nature.

SINGLE OWNERSHIP: Possession of land under single or unified control, whether by sole, joint, common, or other ownership or by a lease having a term of not less

than ten (10) years, regardless of any division of such land into parcels for the purpose of financing.

SITE PLAN: A rendering, drawing, sketch, or map prepared to specifications and containing necessary elements, as set forth in this Local Law, which shows the arrangement, layout and design of the proposed use of a single parcel of land.

SOLAR ENERGY SYSTEM: A complete design or assembly consisting of a solar energy collector (herein called a solar collector), an energy storage facility (where used), and components for the distribution of transformed energy (to the extent that they cannot be used jointly with a conventional energy system). Passive solar energy systems are included in this definition, but not to the extent that they fulfill other functions such as structural and recreational.

STORY: That portion of a building comprised between floor and the floor or roof next above it. A basement shall be considered a story. A cellar shall not be considered a story.

STORY, HALF: That portion of a building situated above a full story and having at least two (2) opposite exterior walls meeting a sloping roof at a level not higher above the floor than a distance equal to one-half (1/2) the floor-to-the-ceiling height of the story below. An attic with a finished floor shall be considered a half story.

STREET: An existing public or private way, which affords principal means of access to abutting properties and is suitably improved; or a proposed way shown on the official map and recorded in the office of the Village Clerk.

STREET, PRIVATE: A drive that services or is designed to serve no more than two principal uses and is built to Village specifications that remains in the ownership of and is maintained by the developer or development association and is not dedicated to the Village.

STREET, PUBLIC: A road or street that serves three or more principal uses, that is built to Village specifications and is dedicated to the Village for maintenance.

STRUCTURE: A combination of materials other than a building to form a construction that is safe and stable and includes among other things, stadiums, platforms, radio towers, sheds, storage bins, and display stands.

SWIMMING POOL: An artificial pool of water having a depth at any point of more than thirty (30) inches and a surface area greater than one-hundred (100) square feet, designed or intended for the purpose of bathing or swimming and including all accessory equipment.

SWIMMING POOL, PRIVATE: A swimming pool operated as an accessory use to a residential dwelling unit or units and located on an individual residential lot or site, subject to the requirements of Article 5-B-9 of this Law.

SWIMMING POOL, PUBLIC: A public or privately owned pool open to the general public or on a membership basis and having appropriate dressing room facilities, recreation facilities and off-street parking.

TEMPORARY ENCLOSURE: Any moveable, tent-like structure intended to provide or actually providing protection from the elements for stored materials, vehicles, or other items. This would include temporary garages or canopies of tent-like construction, as well as tarpaulins of plastic, canvas or similar type materials supported by wooden or metal frameworks. Tents set up for special occasions, screen houses and other recreational enclosures are specifically exempted from this definition unless used for storage as listed above.

THEATER: A building, room, or an outdoor structure for the presentation of plays, motion pictures, or other dramatic performances, not to include adult oriented businesses or adult entertainment establishments, as defined herein.

TOWNHOUSE: A building consisting of two or more dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by common walls without openings. A stand-alone townhouse is considered a "two-family" dwelling, providing there are no more than two (2) dwelling units within the structure. Two (2) or more townhouse structures per lot or any townhouse containing three (3) or more dwelling units is considered a "multi-family" dwelling.

TRAVEL TRAILER: A registered vehicle which is used or designed to be used, for seasonal and/or temporary living or sleeping purposes, and which is customarily standing on wheels or rigid supports. A recreational vehicle (RV) is also considered a travel trailer.

UNREGISTERED MOTOR VEHICLE: Any motor vehicle or motor vehicle chassis or part of such chassis which does not have an unobscured, current motor vehicle registration sticker affixed for a period of more than ten (10) days. (See Village of Victory Local Law #1 – 1988 Unregistered Vehicles).

USE: This term is employed in referring to:

The purpose, for which any buildings, other structures, or land may be arranged, designed, intended, maintained, or occupied.

Any occupation, business activity, or operation conducted in a building or other structure, or on land.

USE, PRINCIPAL: The main or primary purpose, for which a building, other structure and/or lot is designed, arranged or intended or for which they may be used, occupied or maintained under this Law.

VARIANCE, AREA: The authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

VARIANCE, USE: The authorization by the Zoning Board of Appeals for the use of land for the purpose which is otherwise not allowed or is prohibited by the applicable zoning regulations.

VEHICLE SALES AREA: A premise(s), including open areas, other than a street or way, and enclosed show rooms for the display and sale of new or used automobiles, trucks, trailers, motorcycles, and/or recreation vehicles.

VETERINARY CLINIC: A building for the treatment of animal illness including facilities for boarding animals receiving treatment.

WAREHOUSE: A building or premises, for storing of goods, wares and merchandise, whether for the owner or for others, prior to shipment to final retail sale operation and whether it is a public or private ownership and use.

WAY: A thoroughfare, however designated, permanently established for passage of persons or vehicles.

WHOLESALE BUSINESS: A business establishment engaged in selling to retailers rather than directly to consumers.

YARD: An unoccupied space open to the sky, on the same lot with the building or structure.

YARD, FRONT: An open area extending the full width of the lot situated between the street right-of-way and the building line projecting to the side lot lines.

YARD, REAR: An open area extending the full width of the rear lot line situated between the rear lot line and the building line projecting to the side lot lines.

YARD, REQUIRED: That portion of the open area of a lot extending open and obstructed from the ground upward, along a lot line for a setback depth or width as specified by the bulk regulations of the district in which the lot is located. No part of such yard shall be included as part of a yard or other open space similarly required for building on another lot.

YARD, SIDE: An open area extending between the building line and the side line of a lot and extending from the front yard rear line (or from the front lot line, if there is no required front yard) to the rear yard front line (or rear lot line).