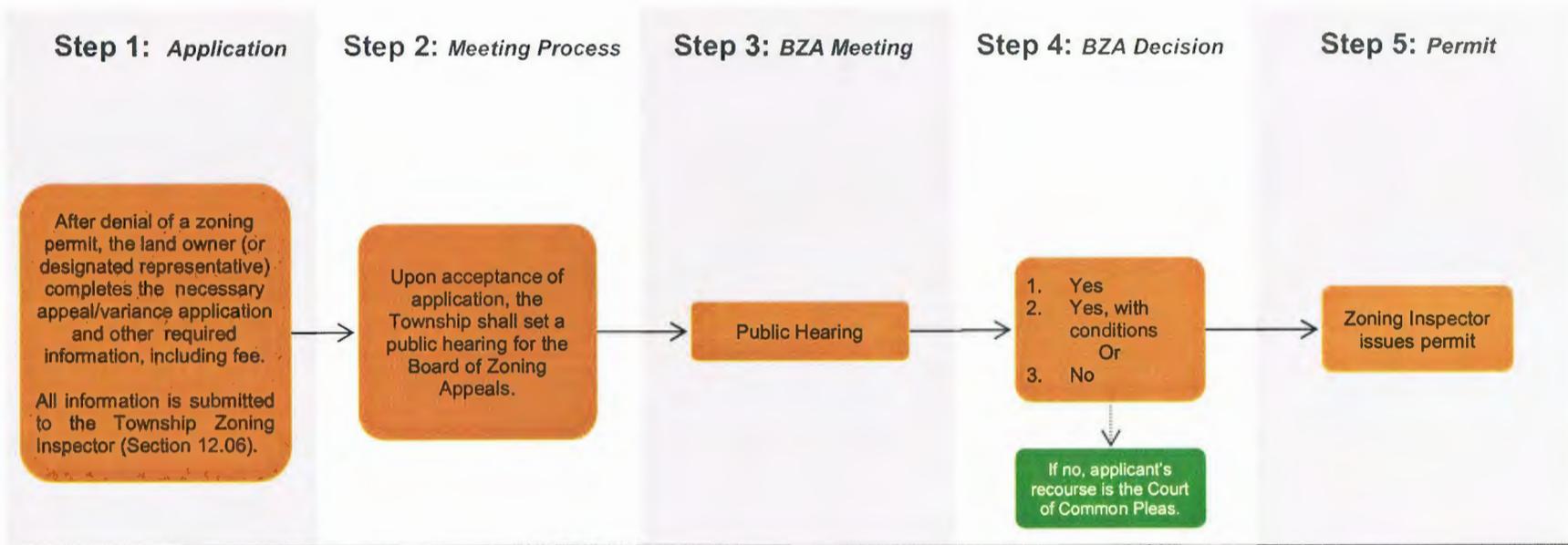


# VARIANCE PROCESS (Ohio Revised Code 519.14)



## Applicants can appeal:

1. The decision of the administrative official (zoning inspector) in the implementation or application of the zoning resolution.
2. The terms, conditions, or requirements of the Zoning Resolution (area vs. use variances)

The appeal must be filed within twenty (20) days of the decision by the administrative officer.

Applications received before the 15th of the month will be scheduled for the 2nd Tuesday of the following month.

At least ten (10) days prior to the meeting, the Township shall give writing notice to the parties of interest and give notice of public hearing in one or more newspapers of general circulation in the County.

For appeals of the Zoning Inspector, the administrative official shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

Public hearing shall be conducted by the Board of Zoning Appeals. Such meetings are open to the public, but are not considered public hearings for the general public to present their opinions.

The BZA acts in an administrative, or quasi-judicial capacity, and it must allow the applicant to present evidence to support their application.

Any person may appear in person or by attorney. All testimony (and cross examination) shall be given under oath or affirmation. Testimony shall be relevant to the facts and not unsubstantiated opinions.

The Board shall act within a reasonable time frame after the application is submitted.

Tabling or continuations are permissible so long as they do not constitute blatant legal error.

The Board of Zoning Appeals may enter executive session to discuss and deliberate to arrive at a decision. The Board must exit executive session and enter the open session and, by resolution, adopt by majority vote to grant (with conditions) or deny the appeal or variance.

It is important for the Board to keep an accurate (recorded) record of the proceedings and prepare a written decision that may include the following:

1. Statement of the appeal or variance request.
2. Findings of fact made by the board upon evidence presented.
3. Conclusion of the Board (reasoning for decision)
4. Written statement of the decision.

An appeal must be filed within thirty (30) days to the Court of Common Pleas for applicants adversely affected.