

DEPARTMENT/PROGRAM	MINIMUM MANDATED BY:	2009 GENERAL FUND PRELIMINARY BSI	FTEs	REIMBURSEMENT, COST PLAN, REVENUE CONSIDERATIONS
Board of Zoning Appeals	<p>ORC 303.14 - The county board of zoning appeals <b>may</b>:</p> <p>(A) Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of sections 303.01 to 303.25 of the Revised Code, or of any resolution adopted pursuant thereto;</p> <p>(B) Authorize upon appeal, in specific cases, such variance from the terms of the zoning resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the resolution will result in unnecessary hardship, and so that the spirit of the resolution <b>shall</b> be observed and substantial justice done;</p> <p>(C) Grant conditional zoning certificates for the use of land, buildings, or other structures if such certificates for specific uses are provided for in the zoning resolution. If the board considers conditional zoning certificates for activities that are permitted and regulated under Chapter 1514 of the Revised Code or activities that are related to making finished aggregate products, the board <b>shall</b> proceed in accordance with section</p>			

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	<p>303.141 of the Revised Code.</p> <p>(D) Revoke an authorized variance or conditional zoning certificate granted for the extraction of minerals, if any condition of the variance or certificate is violated.</p> <p>The board <b>shall</b> notify the holder of the variance or certificate by certified mail of its intent to revoke the variance or certificate under division (D) of this section and of the holder's right to a hearing before the board within thirty days of the mailing of the notice if the holder so requests. If the holder requests a hearing, the board <b>shall</b> set a time and place for the hearing and notify the holder. At the hearing, the holder <b>may</b> appear in person, by attorney, or by other representative, or the holder <b>may</b> present the holder's position in writing. The holder <b>may</b> present evidence and examine witnesses appearing for or against the holder. If no hearing is requested, the board <b>may</b> revoke the variance or certificate without a hearing. The authority to revoke a variance or certificate is in addition to any other means of zoning enforcement provided by law.</p> <p>In exercising the above-mentioned powers, the board <b>may</b>, in conformity with such</p>			

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	<p>sections, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and <b>may</b> make such order, requirement, decision, or determination as ought to be made, and to that end has all powers of the officer from whom the appeal is taken.</p> <p>ORC 303.15 - The county board of zoning appeals <b>shall</b> organize and adopt rules in accordance with the zoning resolution. Meetings of the board of zoning appeals <b>shall</b> be held at the call of the chairperson, and at such other times as the board determines. The chairperson, or in the chairperson's absence the acting chairperson, <b>may</b> administer oaths, and the board of zoning appeals <b>may</b> compel the attendance of witnesses. All meetings of the board of zoning appeals <b>shall</b> be open to the public. The board of zoning appeals <b>shall</b> keep minutes of its proceedings showing the vote of each regular or alternate member upon each question, or, if absent or failing to vote, indicating such fact, and <b>shall</b> keep records of its examinations and other official actions, all of which <b>shall</b> be immediately filed in the office of the board of county commissioners and be a public record.</p>			

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	<p>Appeals to the board of zoning appeals <b>may</b> be taken by any person aggrieved or by any officer of the county affected by any decision of the administrative officer. Such appeal <b>shall</b> be taken within twenty days after the decision by filing, with the officer from whom the appeal is taken and with the board of zoning appeals, a notice of appeal specifying the grounds. The officer from whom the appeal is taken <b>shall</b> transmit to the board of zoning appeals all the papers constituting the record upon which the action appealed from was taken.</p> <p>The board of zoning appeals <b>shall</b> fix a reasonable time for the public hearing of the appeal, give at least ten days' notice in writing to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the county at least ten days before the date of such hearing, and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person <b>may</b> appear in person or by attorney.</p>			

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230029 – Zoning Appeals	See comments immediately above.	\$36,768	0.05	
	<b>TOTAL MINIMUM MANDATED:</b>	\$36,768	0.05	
	<b>NOT MANDATED</b>			
230029 – Zoning Appeals	Assumed position goes from full-time to part-time, misc. travel and subscriptions & memberships due	\$32,743	0.50	
	<b>REIMBURSEMENTS</b>			
	Not Applicable	\$0	0.00	
	<b>TOTAL</b>	\$69,511	1.00	