

# Article IX

## Administration

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### **SECTION 900 - ENFORCEMENT OF REGULATIONS**

#### **Section 900.01 Zoning Administrator/Inspector**

This Zoning Resolution shall be administered and enforced by the Zoning Administrator/Inspector or his or her designated representative who shall be appointed by the Township Trustees as is prescribed by Sec. 519.16, Ohio Revised Code.

#### **Section 900.02 Zoning Administrator/Inspector Duties and Responsibilities**

- 1) **Certificate of Zoning Compliance**  
To issue a Certificate of Zoning Compliance according to the provisions of Section 900.04 when these regulations have been followed or to refuse to issue the same in the event of non-compliance.
- 2) **Collection of Fees**  
To collect the designated fees as set forth in the current fee schedule for Certificates of Zoning Compliance, application for amendment or changes to the Zoning Resolution, Appeals, Variances, or Conditional Use Permits.
- 3) **Making and Keeping Records**  
To make and to keep all records necessary and appropriate to the office, including record of the issuance and denial of all Certificates of Zoning Compliance and of receipt of complaints of violation of this Zoning Resolution and action taken on the same.
- 4) **Inspection of Building or Land**  
To inspect any building or land to determine whether any violations of this Zoning Resolution have been committed or exist.
- 5) **Interpretation and Enforcement**  
To interpret and enforce this Zoning Resolution and take all necessary steps to remedy any condition found in violation by ordering in writing the discontinuance of illegal uses or illegal work in progress. Any person aggrieved by any decision, either written or oral, of the Zoning Administrator/Inspector may, within 20 days, appeal such decision to the Board of Zoning Appeals.

- 6) Advise Zoning Commission  
To keep the Zoning Commission advised on all matters pertaining to zoning amendments and records pertaining thereto. To keep the Jefferson Township Zoning Commission advised of all matters pertaining to the code enforcement of this Zoning Resolution and to transmit all applications and records pertaining thereto.
- 7) Advise Board of Appeals  
To keep the Board of Zoning Appeals advised of all matters pertaining to Conditional Use Permits, Appeals or Variances and to transmit all applications and records pertaining thereto.
- 8) Monthly Reports  
The Zoning Administrator/Inspector shall make monthly reports to the Trustees pertaining to the enforcement of this Zoning Resolution. The report shall document all actions taken during that period of time. Copies of the report shall be given to the *Township Trustees*, Zoning Commission the Board of Zoning Appeals *and the Township Administration*.

### **Section 900.03 Conflict of Interest**

The Zoning Administrator/Inspector is subject to the Ohio Code of Ethics to represent any applicant.

A conflict of interest shall include, but not be limited to, all applications or issues in which the Zoning Administrator/Inspector, or his/her immediate family has a direct pecuniary interest. If a conflict of interest exists, the Trustees and/or the Township Clerk shall appoint a designee to act on his/her behalf.

### **Section 900.04 Certificate of Zoning Compliance**

No occupied or vacant land shall hereafter be changed in its use in whole or part, including any structure as defined by this Resolution, until the Zoning Administrator/Inspector shall have issued the Certificate of Zoning Compliance. No existing or new building shall hereafter be changed in its use in whole or in part until the Zoning Administrator/Inspector shall have issued the Certificate of Zoning Compliance. A Certificate of Zoning Compliance is not required in the event of a change in ownership or tenancy only, without a change in use or intended use, provided that no structural alterations or additions are proposed for building.

#### **Section 900.041 Building Permit**

No building permit for the extension, erection or alteration of any building shall be issued before an application for a certificate of zoning compliance has been made and until such certificate is approved.

**Section 900.042 Applications for Certificates of Zoning Compliance**

Each application for a Certificate of Zoning Compliance shall be accompanied by a plan in duplicate drawn to scale.

The plan shall show *the following items as applicable to insure compliance with the regulations herein:*

- (a) The actual dimensions of the lot including easements.
- (b) The exact size and location of all buildings existing on the lot.
- (c) The proposed new construction.
- (d) The existing and intended use of all parts of the land or buildings.
  
- (e) The proposed provisions of water, sanitary sewer facilities, surface drainage features and underground storm drainage facilities. These features and facilities shall be in compliance with applicable County and Township Regulations. A grading plan and storm water management plan, to include existing and proposed surface and subsurface drainage features, shall be submitted, indicating how storm water runoff will be handled. In order to document conformance with these requirements, the Zoning Administrator/Inspector may require review and approval from all applicable government agencies.
  
- (f) Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution.

**Section 900.043 Procedure**

- (a) Acceptance of a Complete Application  
The Zoning Administrator/Inspector shall only accept a complete application and fee for a Certificate of Zoning Compliance
  
- (b) Approval and Issuance  
Certificates of Zoning Compliance shall be issued or refusal thereof given within thirty (30) working days after the submittal of a complete application. Written notice of a refusal and reason thereof shall be given to the applicant.

**Section 900.044 Fees**

A fee shall be paid to Jefferson Township for each application for Certificate of Zoning Compliance as is prescribed in ORC 519.

**Section 900.044 Effect of Approval**

If the change or modifications described in any Certificate of Zoning Compliance has not begun within one (1) year from the date of issuance thereof, said Certificate of Zoning Compliance shall expire; it shall be revoked by the Zoning Administrator/Inspector and written notice thereof shall be given to the persons affected if work described has begun, but then suspended for a period of six (6) months.

## **SECTION 910 - PENALTIES FOR VIOLATION**

Any person violating any provision of any part of this Zoning Resolution, or who shall violate or fail to comply with any order made thereunder; or who shall falsify plans or statements filed thereunder; or who shall continue to work upon any structure after having received written notice from the Zoning Administrator/Inspector to cease work, shall be guilty of a misdemeanor, and subject to the penalty provided in Sec. 519.99, Ohio Revised Code.

## **SECTION 920 - AMENDMENTS OR SUPPLEMENTS TO ZONING RESOLUTION**

### **Section 920.01 Change or Amendment by Jefferson Township Trustees**

The Township Trustees may change or amend the text of this Zoning Resolution or the Zoning District Map or Special District Map.

#### **Section 920.011 Initiation by Resolution of the Trustees or by Motion of the Zoning Commission**

The Township Trustees may initiate proposed changes or amendments by resolution or by motion of the Township Zoning Commission.

#### **Section 920.012 Initiation by Application**

Proposed changes or amendments may be initiated by one or more owners or lessees of land within the area that is proposed to be changed by amendment of the Zoning District Map or by one or more owners or lessees of land to be affected by change or amendment of other provisions of this Zoning Resolution.

#### **Section 920.013 Resubmission of Application**

If a proposed amendment or supplement initiated by application is disapproved by the Township Trustees, another application for amendment or supplement affecting the land included in the disapproved application shall not be submitted within one (1) year from the date of disapproval, except with a statement by the county or regional planning commission of changed or changing conditions affecting the land sufficient to warrant reconsiderations.

### **Section 920.02 Initiation of Action by Owner or Lessee of Land**

Eight (8) copies of a provided application form shall be filed with the Zoning Administrator/Inspector together with the fee in accordance with the deadline established for setting the Zoning Commission agenda. No such application shall be accepted or deemed to have been filed unless the Zoning Commission shall determine that such application is complete and complies as to form with the requirements of this Zoning Resolution. Such determination relates to form only and does not reflect on the substantive merits of any application.

**Section 920.021 Application**

The application for any proposed change or amendment shall contain:

- (a) A description or statement of the present and proposed provisions of this Zoning Resolution or the proposed change of the district boundaries of the Zoning District Map, or Special District Map.
- (b) A legal description by map and text of the property to be affected by the proposed change or amendment.
- (c) A statement of the relation of the proposed change or amendment to the general health, safety and welfare of the public in terms of need or appropriateness within the area by reason of changed or changing conditions and the relation to appropriate plans for the area. Also approval by the controlling health agency, and where applicable, the county engineer.
- (d) A list of owners of property within, contiguous to, directly across the street from, and within 1,000 feet of such area proposed to be rezoned. Such list to be in accordance with the Franklin County Auditor's current tax list, and shall include all owners' addresses.

**Section 920.022 Fees**

A fee shall be paid to Jefferson Township for each application for any proposed change or amendment in accordance with ORC 519. Reference the current fee schedule, available from the Township Clerk or Zoning Administrator/Inspector.

# **SECTION 930 - PROCEDURE FOR CONSIDERATION OF PROPOSED CHANGE OR AMENDMENT**

## **Section 930.01 Establishment of Public Hearing by Jefferson Township Zoning Commission**

Upon the certification of such resolution by the Trustees, the adoption of such motion by the Township Zoning Commission or the filing of such application for a proposed change or amendment of the text of this Zoning Resolution, the Zoning District Map or Special Map, the Township Zoning Commission shall set a date for a public hearing.

### **Section 930.011 Hearing Date**

The date for a public hearing shall be set for not less than twenty (20) days nor more than forty (40) days from the date of the resolution, motion or filing of application.

### **Section 930.012 Notice of Hearing**

Notice setting forth the time and the place of such hearing and the nature of the proposed change or amendment shall be given by the Township Zoning Commission by one (1) publication in one (1) or more newspapers of general circulation in the township at least ten (10) days before the date of such public hearing.

Written notice of the public hearing shall be mailed by the Township Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from and within 1,000 feet of such area affected by the proposed change or amendment. Such notice is to be mailed to the address of such owners appearing on the County Auditor's current tax list or County Treasurer's mailing list as supplied by the applicant. The failure of delivery of such notice shall not invalidate any such amendment or supplement. Changes in the zoning text which do not redistrict any properties are exempt from the notice by mail requirement.

The Township Zoning Commission may require the Zoning Administrator/Inspector to post the property at each corner near the public right-of-way line. The sign must be clear of all obstruction and plainly visible from the roadway. It shall state the property to be considered, with the time and place of the hearing.

### **Section 920.013 Filing pursuant to ORC 519.12, County or Regional Planning Commission**

Pursuant to Section 519.12 of the Ohio Revised Code, within five (5) days of the adoption of such motion, the certification of such resolution or the filing of such application, one (1) copy of the proposed change or amendment, together with text and map pertaining thereto, shall be forwarded to the county or regional planning commission, which shall return a recommendation on the proposed change or amendment. Said recommendation shall be considered at the public hearing held by the zoning commission on such proposed change or amendment.

## **Section 930.02 Action by the Jefferson Township Zoning Commission**

After a public hearing, the Township Zoning Commission shall act on a proposed change or amendment.

### **Section 930.021 Consideration**

The Township Zoning Commission shall consider the approval, denial or some modification, if the modification is requested by the applicant, of the proposed change or amendment as such proposal in the Commission's judgment advances the general health, safety and welfare of the public by encouraging appropriate use and development of the land affected and the comprehensive or overall development of the surrounding area.

### **Section 930.022 Recommendation**

Within thirty (30) days after the public hearing, the Township Zoning Commission shall submit to the Township Trustees a recommendation of approval, denial, or some modification, if the modification is requested by the applicant, of the proposed change or amendment including a statement of reasons for such recommendation, together with such resolution or application, the text and map pertaining thereto, and the recommendation of the County or Regional Planning Commission.

## **Section 930.03 Action by the Jefferson Township Trustees**

Upon receipt of such recommendation concerning proposed change or amendment the Township Trustees shall set a time for a public hearing.

### **Section 930.031 Hearing Date**

The date for a public hearing shall be set for not more than thirty (30) days from the date of the receipt of recommendation from the Township Zoning Commission.

### **Section 930.032 Notice of Hearing**

Notice setting forth the time and place of the public hearing and a summary of the proposed change or amendment shall be given by the Township Trustees by one (1) publication in one (1) or more newspapers of general circulation in the township at least fifteen (15) days before the date of the public hearing.

### **Section 930.033 Final Action**

Within twenty (20) days after such public hearing the Township Trustees shall either adopt or deny the recommendation of the Township Zoning Commission or adopt some modification thereof. In the event the Board of Trustees denies or modifies the recommendation of the Township Zoning Commission the unanimous vote of the Board of Trustees shall be required. The Trustees shall take action within thirty (30) days.

**Section 930.034 Date of Effect**

Such change or amendment as the Township Trustees shall adopt shall become effective in thirty (30) days after the date of such adoption unless within such thirty (30) day period there is presented to the Township Trustees a petition, as set forth in Sec. 519.12, Ohio Revised Code, requesting the Township Trustees to submit the proposed change or amendment to referendum vote.

**Section 930.035 Zoning Compliance Required**

The approval of a zoning request by the Township Trustees shall not eliminate the requirement for a certificate of zoning compliance.