**GRAFTON TOWNSHIP ZONING INFORMATION**

WHAT IS ZONING?

* Zoning is a tool that is available to Ohio Townships to regulate the use of land, the density of land use and location of the various types of development within each township in the state.

NOTE: Grafton Townships organization relative to zoning matters is:

* + The **Board of Trustees** is the equivalent to the Executive Branch of our government, in that they are responsible for reviewing any suggested additions or modifications to the Zoning Resolution given to them by the Zoning Board.
	+ The **Zoning Commission** is equivalent to the Legislative Branch of our government, specific details about this Board are discussed below.
	+ **The Board of Zoning Appeals** (BZA) performs as the Quasi-Judicial Branch, specific details about this Board are also discussed below.

WHO DEVELOPS THE TOWNSHIPS ZONING REGULATIONS?

* **The Zoning Commission** behaves as a public body that deliberates and makes zoning amendment decisions in the open, announces their public meeting dates, times, and the purposes, establishes the zoning rules, seeks citizen participation, and keeps records of all zoning matters. Its members are appointed by the Township Board of Trustees.

WHO IS CHARGED WITH THE DAY TO DAY ADMINISTARTION AND ENFORCEMENT OF THE ZONING REGULATIONS?

* **The Zoning Inspector**, a Board of Trustees appointee, is the person charged with the day to day administration and enforcement of the zoning regulations.
* The Zoning Inspectors duties as prescribed , authorized, or limited by the Board of Trustees include the following:
	+ To accept, review, and process applications for zoning certificates and issue same when appropriate:
	+ To conduct routine inspection of the township to identify zoning violations;
	+ To investigate zoning complaints and violations and if necessary issue a zoning citation;
	+ Assist/advise property owners with deciding if they want to appeal a zoning administrative decision, request a zoning use or area variance or conditional use permit.
	+ To consult with the Lorain County Assistant Prosecutor on legal or interpretive issues as required;
	+ To keep and maintain accurate zoning records;
	+ To attend the Trustee, Zoning Board and Zoning Appeals Board meetings as required, giving them support and updates as needed;

WHAT IS THE BOARD OF ZONING APPEALS AREA OF RESPONSIBILITY?

* **The Board of Zoning Appeals** (**BZA)** is charged with considering the list of issues in the following set of bullet points. Members of the BZA are appointees of the Board of Trustees with finite terms.

NOTE: In the State of Ohio the Courts have determined that the **BZA performs a “quasi-judicial” function**.

* + Ohio Revised Code 519.14 requires that the BZA shall hold a hearing for all of the following situations:
	+ **Appeal from a decision made by the Zoning Inspector** in the implementation or application of **the Zoning Resolution.** This term is used to describe the entire manual of the officially adopted zoning regulations contained in the Zoning Resolution of Grafton Township.
	+ **An appeal for a variance from the terms, conditions, or requirements** **of the Zoning Resolution** (Area or Use Variance).

**NOTE: It is required that such an appeal be made within 20 days after the decision is made by the Zoning Inspector, per section 2105.01 of the Townships Zoning Resolution.**

* + **Granting a Conditional Use Zoning Permit** for the use of land, buildings, or other structures as provide for in the Zoning Resolution: and
	+ **Revocation** of an authorized variance or conditional zoning certificate for the extraction of minerals.

HOW DOES A GRAFTON TOWNSHIP PROPERTY OWNER APPEAL A ZONING ADMINISTRATIVE (Zoning Inspectors) DECISION, OR REQUEST A ZONING VARIANCE OR CONDITIONAL USE PERMIT?

(There are very specific timing rules and procedures that MUST BE followed if such an appeal is made.)

* The first step a Grafton Township resident who has a zoning issue or concern should take is to discuss the issue and any possible solutions to the issue with the Township Zoning Inspector.
* If the result of that conversation is that the resident’s desired outcome can only be achieved by appealing the issue to the Board of Zoning Appeals, The Township Zoning Inspector will provide the resident the proper forms to complete along with the completion instructions.
* Once the resident has properly completed the necessary application forms their next step is to mail the application and the public hearing fee to the Board of Zoning Appeals Secretary. Note: This application must be received by the Board of Zoning Appeals Secretary by the end of the first business week of each month. This will allow appropriate time to process the required paperwork for a standard fourth Tuesday evening public hearing that same month.
* Upon receipt of the properly formatted application and fee, the Board of Zoning Appeals Secretary starts a time sensitive process that includes:
	+ Describing the desired variance or conditional use permit application and placing a notice in the legal notices section of a local newspaper; in this case the newspaper is the Chronicle Telegram. This description will include information on what property the variance or permit will impact, who is applying for the variance and when and where the public hearing will be held. This legal notice must print a minimum of 10 days before the public hearing.
	+ Preparing and sending correspondence to the applicant and their adjacent property owners that includes a description of the issue, the applicants name, the property impacted by the application and the meeting time, date and location,
	+ Meeting notices mailed to the Trustees, Zoning Commission Chairperson and Secretary, Zoning Inspector, and Board of Zoning Appeals members.
* The next step and usually the final step in the process is the actual **Board of Zoning Appeals** (**BZA) hearing.** The following describes the various steps in the meeting:
	+ The meeting is called to order and participants sworn in.
	+ The BZA Board members are introduced.
	+ The audience is told that notes will be taken.
	+ The Chairman outlines the meeting process to be followed and how the meeting will be conducted,
	+ The application to the BZA is read to all of the people at the meeting.
	+ The Applicant is asked if they have anything to add regarding the application.
	+ The audience/ adjacent property owners are asked if they have any questions or concerns that they want to raise.
	+ Board members will ask any questions they have.
	+ At the conclusion of the questions the Board members may deliberate privately to discuss the issues.
	+ There are three possible actions that can take place:
		- The request may be approved (there may be conditions attached to that approval).
		- The request may be denied
		- The meeting/decision may be continued based on the need for more information.
	+ The board members will conduct a vote during the public session of the hearing and the majority vote will rule on the decision.
	+ The Chairperson will explain the path forward which will include a Decision Letter from the Board of Zoning Appeals Secretary describing the outcome of the public hearing. This document will be used by the Applicant and the Zoning Inspector to proceed as decided upon in the public hearing.
	+ If there is no other business to be discussed, the meeting will be adjourned

Preparation Date October 18, 2019