

ARTICLE 9

**ADMINISTRATIVE BODIES
AND THEIR DUTIES**

SECTION 901 TOWNSHIP ZONING INSPECTOR: The Township Trustees shall appoint a Township Zoning Inspector, together with such assistants as the Trustees deem

necessary, and designate him as the enforcing officer of this Resolution. Any official or employee of the Township may assist the Zoning Inspector by reporting to him any new construction, reconstruction, land use changes, or suspected violation.

901.1 Duties: The Township Zoning Inspector shall be responsible for the following duties;

- a. The Zoning Inspector shall review all applications within the Township for Zoning Permits as outlined in Section 1001 within the Township to insure that they conform to all applicable provisions of this Resolution, then a Zoning Permit shall be issued and a record of all such permits maintained;
- b. The Zoning Inspector may periodically conduct on-site inspections to insure the actual construction will conform to the Zoning Permit;
- c. The Zoning Inspector, upon finding that any of the provisions of this Resolution are being violated, shall notify, in writing, the person responsible for such violation and order the action necessary to correct such violation;
- d. The Zoning Inspector may order discontinuance of illegal uses of land, building, or structures;
- e. The Zoning Inspector may order removal of illegal buildings or structures or illegal additions or structural alterations;
- f. The Zoning Inspector shall review all applicable subdivision plats and lot splits which are submitted to the Regional Planning and Coordinating Commission of Greene County in order to determine if the plat or lot split conforms to all applicable provisions of this Resolution.

SECTION 902

TOWNSHIP ZONING COMMISSION: The Township Trustees shall establish a Township Zoning Commission, consisting of five citizens of the Township to be appointed by the Township Trustees. None of the members shall concurrently serve as a member of the Board of Zoning Appeals.

The terms of the members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission may be removed for nonperformance of duty, misconduct in office, or other cause by the Township Trustees, upon written charges being filed with the Township Trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten days prior to the hearing, either personally, by registered mail or by leaving such copy at his usual

place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

902.1 Meetings: The Zoning Commission shall elect its own officers annually and shall adopt the rules necessary for the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the Chairman and at such other times as the Zoning Commission may determine. The Chairman or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The Zoning Commission shall keep minutes of its proceedings and shall keep records of its examinations and other official actions, all of which shall be public record.

902.2 Actions: The Zoning Commission shall act by resolution or, motion. The concurring vote of a majority of those members present shall be necessary to pass any motion to recommend the approval, disapproval, or modification of any proposed amendment to this Resolution. The results of such resolution or motion shall be forwarded to the Township Trustees for their action, except as may otherwise be provided herein.

902.3 Duties: The Township Zoning Commission shall be responsible for the following duties:

- a. The Township Zoning Commission shall initiate or review all proposed amendments to this Resolution and make recommendations to the Township Trustees in accordance with Section 1004.

SECTION 903

BOARD OF ZONING APPEALS: The Township Trustees shall appoint five (5) residents of the Township to the Board of Zoning Appeals. The terms of all members shall be so arranged that the term of one member shall expire every year. Each member shall serve until his successor is appointed and qualified. Members of the Board of Zoning Appeals may be removed for nonperformance of duty, misconduct in office, or other cause by the Township Trustees, upon written charges being filed with the Township Trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served either personally, by registered mail, or by leaving such copy at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by resolution of the Township Trustees and shall be for the unexpired term.

903.1 Meetings: The Board of Zoning Appeals shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Resolution. Meetings shall be held at the call of the Chairman and at such other times as the Board of Zoning Appeals may determine. The Chairman, or in his

absence the Action Chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board of Zoning Appeals shall keep minutes of its preceding, showing the vote of each member upon question or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately file in the office of the Board of Zoning Appeals.

903.2 Actions: In exercising its duties, the Board of Zoning Appeals may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have the power of the Zoning inspector from whom the appeal is taken. The concurring vote of a majority of those members present shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution.

903.3 Duties: For the purpose of this Resolution, the Board of Zoning Appeals has the following specific responsibilities:

- a. To hear and decide appeals in accordance with Article 10, Section 1003 where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Inspector;
- b. Where the applicant has provided sufficient evidence to warrant the granting of a variance, to authorize such variances from the terms of this Resolution as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of this Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done. The consideration of such variances shall be in accordance with Article 10, Section 1003;
- c. To grant Conditional Use Permits as specified in Article 10, Section 1002, and such additional safeguards as will uphold the intent of this Resolution;
- d. To determine if uses not specifically mentioned in this Resolution are similar to uses permitted within a district in accordance with Section 401;
- e. To determine the exact location of any district boundary in accordance with Article 3, Section 303 if there is uncertainty as to the exact location involved.

- f. In cases regarding conditional uses for mineral extraction the Board of Zoning Appeals has these specific responsibilities:
 1. Inspections of nearby structures and water wells to determine structural integrity and water levels;
 2. Ensure compliance with applicable federal, state, and local laws and regulations;
 3. Identification of specific roads in accordance with division (B) of section 303.141 of the Ohio Revised Code to be used as the primary means of ingress to and egress from the proposed activity;
 4. Ensure compliance with reasonable noise abatement measures;
 5. Ensure compliance with reasonable dust abatement measures;
 6. Establishment of setbacks, berms, and buffers from the proposed activity;
 7. Establishment of a compliant procedure;
 8. Establishment of any other measure reasonably related to public health and safety.

SECTION 904

TOWNSHIP TRUSTEES It is the intent of this Resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board of Appeals only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board of Appeals shall be to the courts as provided by law. It is further the intent of this Resolution that the duties of the Township Trustees, in connection with this Resolution, shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in Article 10, Section 1003.

904.1 Duties: The Township Trustees shall be responsible for the following duties:

- a. To appoint a Zoning Inspector, members of the Township Zoning Commission, and members of the Board of Zoning Appeals;
- b. To amend or establish a schedule of fees for issuing zoning permits, appeals, variances, conditional use permits, processing amendments, and any other zoning actions requiring postage, legal advertising, inspections, or general process of applications.

- c. To consider and adopt, reject or modify all proposed amendments to this Resolution as provided in Article 10, Section 1004.