

AN ORDINANCE AMENDING SECTION 1105.11 REQUIRING APPROVAL BY COUNCIL OF BOARD OF ZONING APPEALS USE VARIANCES

WHEREAS, land use variances and exceptions granted by the Board of Zoning Appeals may have a significant land use impact throughout the Village; and

WHEREAS, this Council wishes to have the opportunity to review land use variances and exceptions granted by the Board of Zoning Appeals prior to their becoming effective;

Now, Therefore, Be It Ordained by the Council of the Village of Richfield, State of Ohio:

Section 1: That Section 1105.11 of the Richfield Planning and Zoning Code be amended to read as follows:

"1105.11 DECISIONS.

(a) The Board of Zoning Appeals may reverse, modify or affirm in whole or in part, the order, requirement, decision or determination appealed from and shall decide and file all applications within thirty days after the date of submission. Decisions shall be by resolution and shall contain a record of the findings and motion for decision. A copy of the resolution shall be transmitted to the applicant and the Zoning Inspector. The resolution shall be incorporated in the terms of any authorization issued by the Village. A decision of the Board shall be final on the date such resolution is filed unless the Board otherwise determines and shall so find in the resolution. In cases where a variance or exception is granted which would change the character of land use, the result of which would be to permit a different zoning use on the property, the Secretary of the Board of Zoning Appeals shall immediately file an additional copy of the resolution with Council. Council may, within thirty (30) days after such notification, reverse or modify the decision of the Board of Zoning Appeals. If no action is taken by Council within such thirty (30) day period, the decision of the Board of Zoning Appeals shall be final.

(b) The Board may attach terms regarding the location, character and other features of the proposed use as the Board deems necessary in the interest of justice and may require a guarantee or bond in such form and in such amount as may be necessary to assure compliance with the terms."

Section 2: That Section 1105.11 of the Planning and Zoning Code as it existed prior to the effective date of this Ordinance be, and the same hereby is, repealed.

Section 3: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 5/17/88, 1988

David W. Howard
President of Council

Ray R. Wagner
Mayor

Dated: 5/17/88

Attest:

Mary L. Hogley
Clerk of Council