

ZONING RESOLUTION OF LEROY TOWNSHIP, LAKE COUNTY, OHIO

SECTION 10 – TOWNSHIP ZONING COMMISSION AND AMENDMENTS TO THE ZONING RESOLUTION

(Adopted November 1949) (effective August 20, 1992) (Revised 12/7/05)

- 10.01 There is hereby created and established a Township Zoning Commission. The Commission shall be composed of five (5) members who shall reside in the unincorporated area of the Township and who shall be appointed by the Board of Township Trustees. The terms of the members shall be of such length and so arranged that the term of one (1) member shall expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission shall be removable for non-performance of duty, misconduct in office or other cause by the Board of Trustees in accordance with the provisions of the Ohio Revised Code. Vacancies in the Township Zoning Commission shall be filled by the Board of Trustees and shall be for the unexpired term.
- 10.02 The Commission 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 Commission may determine, but not less than once per calendar quarter. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official action, all of which shall be public record and shall be immediately filed in the office of the Township Zoning Commission.
- 10.03 For purposes of this Township Resolution, the Township Zoning Commission shall have the duties as prescribed by the Ohio Revised Code Chapter 519 and any successors thereto.
- 10.04 Whenever the public necessity, convenience, general welfare or good zoning practices require, the Board of Township Trustees may, by resolution after receipt of recommendation thereon from the Zoning Commission and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.
- 10.05 Amendments to the Township Zoning Resolution shall be initiated in accordance with Chapter 519 of the Ohio Revised Code and any successors thereto. All procedures for notice and hearings for amendments to the Zoning Resolution shall be as set forth and in accordance with Chapter 519 of the Ohio Revised Code and any successors thereto.
- 10.06 Applications for amendments to the official Zoning Map adopted as part of this. Resolution shall contain at least the following information:
1. Name, address and phone number of applicants.
 2. Proposed amending resolution.
 3. Present land use.
 4. Present zoning district.
 5. Proposed land use.
 6. Proposed land use zoning district.

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7. A vicinity map showing property lines, structures, thoroughfares and existing and proposed zoning.
 8. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across from the street from the parcel or parcels proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels as listed on the tax duplicate are to be rezoned.
 9. A fee or fees in accordance with a fee schedule adopted by the Board of Township Trustees, and made a part of this Resolution, shall be required at the time of application and is not refundable (Effective 12/7/05)
- 10.07 Application for amendments proposing to amend, supplement, change or repeal portions of this Resolution other than the official Zoning Map shall include:
1. Name, address and phone number of applicants.
 2. Proposed amending resolution.
 3. A fee or fees in accordance with a fee schedule adopted by the Board of Township Trustees and made a part of this Resolution shall be required at the time of application and is not refundable. (Effective 12/7/05)
- 10.08 Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission.
- 10.09 After the adoption of a motion by the Zoning Commission, transmittal of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution or application together with the text and map pertaining to the case in question to the County Planning Commission in accordance with Section 519.12 of the Ohio Revised Code. The County Planning Commission shall recommend the approval or denial of the proposed amendment or supplement or the approval with some modification thereof and shall submit such recommendation to the Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Township Zoning Commission on such proposed amendment or supplement.
- 10.10 The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application for zoning amendment in accordance with Section 519.12 of the Ohio Revised Code.
- 10.11 ~~Notice of such hearing shall be given by the Township Zoning Commission by at least one (1) publication in one (1) or more newspapers of general circulation in the Township area in accordance with the Ohio Revised Code.~~ Notice of the hearing shall be given by the commission by one publication at least ten days before the date of the hearing using the township website and social media account in accordance with Ohio Revised Code 519.12 A(2)(c). This notice shall

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set forth the time and place of the public hearing, the nature of the proposed amendment or supplement and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

- 10.12 If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Township Zoning Commission, by first class mail, in accordance with the Ohio Revised Code, to all owners of property within, contiguous to, and directly across the thoroughfare from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list. The failure to deliver the notice, as provided in this Section, shall not invalidate any such amendment or supplement. The notice shall contain the same information as required of notices published in the newspaper as specified.
- 10.13 The Township Zoning Commission shall recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the county or regional planning commission thereon to the Board of Township Trustees.
- 10.14 Upon receipt of the recommendation of the Township Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of ~~such the~~ hearing shall be given by the Township Trustees by at least one ~~(1) publication in one (1) or more newspapers of general circulation in the Township area, in accordance with the Ohio Revised Code. at least ten days before the date of the hearing using the township website and social media account in accordance with the Ohio Revised Code 519.12 E(3).~~
- 10.15 After the required public hearing, in accordance with the Ohio Revised Code, the Board of 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 Township Trustees denies or modifies the recommendation of the Township Zoning Commission, the unanimous vote of the Board of Trustees shall be required.
- 10.16 Such amendment or supplement adopted by the Board of Township Trustees shall become effective in accordance with the Ohio Revised Code, unless there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township, or part thereof included in the zoning plan equal to not less than eight (8) percent of the total vote cast for all candidates for Governor in such area at the last general election in which a Governor was elected, requesting the Board of Township Trustees to submit the amendment or supplement to the electors of such area, for approval or rejection, at the next primary or general election.
- 10.17 No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the votes cast on the issue is in favor of the amendment or supplement.

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Upon certification by the Board of Elections that the amendment has been approved by the voters it shall take immediate effect.