

**Article 2100
Zoning Permits**

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2101 ZONING PERMIT REQUIRED.

No building or structure shall be erected, constructed, enlarged, structurally altered, or moved in whole or in part, and no use shall be established or changed in the unincorporated area of Amherst Township prior to the issuance of a zoning permit, and no such zoning permit shall be issued unless the plans for the proposed building or structure fully comply with the regulations set forth in this Zoning Resolution or the applicant receives a written order from the Board of Zoning Appeals deciding a variance, as approved by this Resolution. This Chapter specifies the manner in which zoning permits are applied for and obtained in Amherst Township.

2102 AGRICULTURAL USES EXEMPT.

Uses determined by the Zoning Inspector to be agricultural uses and which are not otherwise regulated in Article 600 are exempt from the zoning permit requirements.

2103 ZONING PERMIT APPLICATION REQUIREMENTS.

A zoning permit application shall be filed with the Zoning Inspector for all buildings or uses requiring such permit. Such application shall include a completed application form of the type required by the Zoning Inspector and the application fee established by the Township Trustees for zoning permit applications.

a. Zoning Permits for Single-Family Dwellings and Uses Accessory Thereto.

1. In those cases where the proposed action involves new construction of a single-family dwelling unit that is located in a subdivision of 5 or more lots and such subdivision was recorded after July 1, 1998, the applicant for a zoning permit shall be subject to the design review procedures set forth in Article 2200.

2. In cases where the proposed action involves any single-family construction or alteration not covered by a.1, above, the zoning permit application shall include the following information:
 - A. Three (3) copies of a plot plan and other drawings sufficient to determine if the proposed new or altered structure or use meets all applicable height, yard, lot area and other regulations specified herein for the use and district. Such plans shall be legibly drawn to scale and shall be based on an accurate survey;
 - B. Name, address and phone number of applicant;
 - C. Legal description of property;
 - D. Existing use;
 - E. Proposed use.

The application for a zoning permit shall be signed by the owner or applicant attesting to tell the truth and exactness of all information supplied on the application.

- b. Zoning Permits for Uses Requiring Zoning Commission Review. Applications for uses that require review by the Zoning Commission shall include the items required for review of site plans as set forth in Section 2203 and/or for conditional uses as set forth in Section 2302.

2104 ACTION ON A ZONING PERMIT.

The Zoning Inspector shall take action on a zoning permit application:

- a. For single-family dwellings and uses accessory thereto which do not require design review pursuant to Article 2200, a zoning permit shall be issued by the Zoning Inspector within 30 days for applications which, in his/her determination, meet all requirements of this Resolution, including the application requirements specified herein.
- b. Applications for zoning permits for single-family dwellings requiring design review shall be transmitted to the Zoning Commission according to Article 2200.
- c. Applications for zoning permits for uses requiring review of site plans and design review shall be transmitted to the Zoning Commission according to Article 2200.
- d. Applications for zoning permits for conditional uses shall be transmitted to the Board of Zoning Appeals according to Article 2300.

2105 APPROVAL OF ZONING PERMIT.

One copy of the plans shall be returned to the applicant by the Zoning Inspector after he/she shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. A zoning permit shall not be issued where, in the determination of the Zoning Inspector, the structure or use, as proposed, would violate one or more provisions of this Resolution. In such case, the Zoning Inspector shall state on the application the reason for the denial, including the regulation(s) which would be violated by the proposed use, and shall transmit one copy thereof to the applicant along with one copy of the plot plan and other drawings submitted to the Zoning Inspector. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. For an approved application, the Zoning Inspector shall issue a placard to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this Resolution.

2106 SUBMISSION TO DIRECTOR OF TRANSPORTATION.

According to ORC 5511.01, before any zoning permit is issued affecting any land within 300 feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of Transportation or any land within a radius of 500 feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail, to the Director of Transportation and shall not issue a zoning permit for 120 days from the date the notice is received by the office. If notified that the state is proceeding to acquire the land needed, then a zoning permit shall not be issued. If notified that acquisition at this time is not in the public interest, or upon the expiration of the 120 day period or any agreed upon extension thereof, a zoning permit shall be granted if the application is in conformance with all provisions of this resolution.

2107 HEALTH BOARD APPROVAL.

No zoning certificate shall be issued without evidence that the applicable County or State agencies have approved the proposed sanitary sewage disposal and water facilities for the use for which the zoning permit has been requested.

2108 EXPIRATION OF ZONING PERMIT.

If the work described in any zoning permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice shall be given to the persons affected. If the work described in any zoning permit has not been completed within 1-1/2 years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice shall be given to the persons affected, together with notice that further work as described in the

canceled permit shall not proceed unless and until a new zoning permit has been obtained or an extension granted.

2109 ZONING PERMIT TO BE POSTED.

A copy of the zoning permit shall be posted in a conspicuous location during construction of a new structure or addition to an existing structure.

2110 FAILURE TO OBTAIN PERMIT.

Failure to obtain a zoning permit shall be a violation of this Resolution and punishable under Article 2600.

2111 APPEAL OF ZONING INSPECTOR DENIAL OF ZONING PERMIT.

Any person deeming himself wronged by a Zoning Inspector's decision to deny the issuance of a zoning permit may appeal such decision to the Board of Zoning Appeals under the provisions of these regulations.

2112 SCHEDULE OF FEES, CHARGES AND EXPENSES.

The Township Trustees shall establish a schedule of fees, charges and expenses and a collection procedure for zoning permits, appeals, and all other matters pertaining to this Resolution. The schedule of fees shall be posted in the office of the Zoning Inspector and may be altered or amended only through Township Trustees. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

REVISION HISTORY

<u>Date</u>	<u>Section #</u>	<u>Description of Change</u>	<u>Req. By</u>
7/10/01	ALL	Original Update	Twp. Trustees