

RESOLUTION NO. 131-2018

Reappointment Alternate Kenneth Barbarino to Board of Zoning Appeals

Cuyahoga County, Ohio

Be it Resolved by the Township Trustees of Olmsted Township, that

WHEREAS, the service to community has been a hallmark of the American system of government for generations as citizens step forth to use their talents to benefit the general welfare, and

WHEREAS, Olmsted Township, through the Ohio Revised Code Section 519.13 has the authority and need to appoint members of the community to serve on its Board of Zoning Appeals, and

WHEREAS, this Board of Zoning Appeals fulfills a significant role; the Board hears and determines issues regarding code enforcement, is able to grant variances under certain specific guidelines, grants conditional use permission and other duties as defined ORC Section 519.14, therefore,

BE IT RESOLVED that the Board of Trustees of Olmsted Township, reappoints alternate Kenneth Barbarino as a member of the Board of Zoning Appeals. Mr. Barbarino's term will begin on August 1, 2018 and expire on July 31, 20~~23~~²⁰, and

BE IT FURTHER RESOLVED that it is hereby found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 25th day of July, 2018

Attest: Brian W. Bittell
Township Fiscal Officer

J. J. J.
Deanne M. Green
J. J. J.
Township Trustees

Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of sections 519.02 to 519.25 of the Revised Code, or of any resolution adopted pursuant thereto;

(B) Authorize, upon appeal, in specific cases, such variance from the terms of the zoning resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the resolution will result in unnecessary hardship, and so that the spirit of the resolution shall be observed and substantial justice done;

(C) Grant conditional zoning certificates for the use of land, buildings, or other structures if such certificates for specific uses are provided for in the zoning resolution. If the board considers conditional zoning certificates for activities that are permitted and regulated under Chapter 1514. of the Revised Code or activities that are related to making finished aggregate products, the board shall proceed in accordance with section 519.141 of the Revised Code.

(D) Revoke an authorized variance or conditional zoning certificate granted for the extraction of minerals, if any condition of the variance or certificate is violated.

The board shall notify the holder of the variance or certificate by certified mail of its intent to revoke the variance or certificate under division (D) of this section and of the holder's right to a hearing before the board, within thirty days of the mailing of the notice, if the holder so requests. If the holder requests a hearing, the board shall set a time and place for the hearing and notify the holder. At the hearing, the holder may appear in person, by the holder's attorney, or by other representative, or the holder may present the holder's position in writing. The holder may present evidence and examine witnesses appearing for or against the holder. If no hearing is requested, the board may revoke the variance or certificate without a hearing. The authority to revoke a variance or certificate is in addition to any other means of zoning enforcement provided by law.

In exercising the above-mentioned powers, the board may, in conformity with such sections, reverse or affirm, wholly or partly, or may 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 has all powers of the officer from whom the appeal is taken.

Effective Date: 07-22-1974; 04-06-2007