

# **CANAL FULTON BOARD OF ZONING APPEALS**

The Board of Zoning Appeals consists of five members who are citizens of the City of Canal Fulton. The members are appointed by the Mayor, subject to Council approval.

## **Board Members**

Garnet Thomas – Chairperson  
Dennis Mayberry  
Joseph Charlton

Wilma Charlton  
Danny Losch

## **Meetings**

The Board of Zoning Appeals meets in regular session the third Thursday of each month at 6:30 PM at City Hall as needed; special sessions as called.

All applications, documentation and \$50 nonrefundable fee should be submitted to the City of Canal Fulton Zoning Department on or before the end of the present month to be on the agenda for the following month.

## **Powers and Responsibilities of the Board of Zoning Appeals**

The Board of Zoning Appeals shall have all the powers and responsibilities stated in the Charter of the City of Canal Fulton and the Ohio Revised Code (ORC 731.11). This includes, but is not limited to, the following:

1. The Board shall have the power to authorize upon appeal in specific cases such variances from the terms of the Zoning Ordinance, as will not be contrary to the public interest. The Board may impose such conditions as it may deem necessary to protect the public health and safety.
2. The Board shall have the power to hear and decide appeals where it is alleged there is error in any order, requirements, decisions or determination made by the Zoning Inspector in the enforcement of the Zoning Ordinance.

## **Procedures**

All appeals and applications made to the Board shall be in writing and on the forms prescribed therefore. Every appeal of application shall refer to the specified provision of the ordinance involved and shall exactly set forth the interpretation that is claimed, the details of the variance that is applied for, and the grounds on which it is claimed that the variance should be granted.

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**Proceedings of the Board of Zoning Appeals**

The Board shall set the time and place for the hearing. Such hearings shall be advertised by one publication in one or more newspapers of general circulation in the city at least 10 days before the date of such hearing. The Board shall notify the applicant for the variance and all concerned parties known to the Board. ALL HEARINGS ARE OPEN TO THE PUBLIC.

The Board of Zoning Appeals is a quasi-legal board. The chairperson or acting chairperson shall administer an oath or affirmation to all given testimony, including those in opposition to the Variance Request. All individuals may be heard in person or by an attorney representing their position/contention.

The Board shall adopt rules and regulations necessary to comply with the City of Canal Fulton Charter and the Ohio Revised Code. The Board shall keep minutes of proceedings, showing the vote of each member. Records shall be maintained of its official actions and findings and shall become public record.

**Decisions of the Board of Zoning Appeals**

Three members of the Board shall constitute a quorum at all meetings. A concurring vote of three members shall be necessary to affect an order, take action, make decisions, or act on any authorization.

The Board's decision shall be transmitted to the applicant and all concerned parties and to the Zoning Inspector. Such decision shall be binding upon the Zoning Inspector and observed by him, and he shall incorporate the terms and conditions of the same in the Zoning Certificate to the applicant, whenever a permit is authorized by the Board. A decision of the Board shall not become final until the expiration of five days from the date such decision is made, unless the Board shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.