

DATE: \_\_\_\_\_

Case No. \_\_\_\_\_

**CITY OF WICKLIFFE**

**APPLICATION FOR APPEARANCE - WICKLIFFE BOARD OF ZONING APPEALS**

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To the Commission of Building & Zoning, I the undersigned do hereby request a hearing before the Wickliffe Board of Zoning Appeals concerning the following. (Request must be per the Codified Ordinances regarding your case).

\_\_\_\_\_  
\_\_\_\_\_

ADDRESS OF VARIANCE REQUEST: \_ \_ \_ \_ \_

Owner of Property: \_\_\_\_\_

Home address/ \_\_\_\_\_

Cell Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Name of Representative at Meeting & Cell number:

\_\_\_\_\_  
Signature: \_\_\_\_\_

Address \_\_\_\_\_

Cell/Phone number: \_\_\_\_\_

**\*4 weeks prior to the meeting the application and \$150.00 fee are due. Meetings are the 4<sup>th</sup> Thursday of month 7:00 PM**

Date of Hearing: \_\_\_\_\_ 7:00 PM

(8) sets of Plans Rec'd \_\_\_\_\_ Fee: \$150.00/Date: \_\_\_\_\_

Receipt Number: \_\_\_\_\_ Date Notified of Hearing: \_\_\_\_\_

Dates Advertised: \_\_\_\_\_

Decision: \_\_\_\_\_

Secretary: \_\_\_\_\_

**1335.10 INTENT.**

The purpose of the Board of Zoning Appeals, herein referred to as the Board, shall be to decide any judicial question involving the interpretation of provisions of this Zoning Ordinance, and to grant variances from the strict letter of such Ordinance in instances of unnecessary hardship; but not to alter provisions of the Zoning Ordinance or change the district boundaries on the Zoning Map, which shall be the function of Council.

(Ord. 1961-103. Passed 12-29-61.)

**1335.20 MEMBERSHIP.**

(a) The Board of Zoning Appeals shall be composed of five members qualified by experience and training to pass upon matters pertaining to zoning, four of whom shall be residents of the City and the fifth a member of Council. Residents appointments to the Board shall be made by the Mayor subject to the confirmation of Council. The Board member of Council shall be selected by Council for such term as it shall determine. The term of the residents shall be of five year. A term shall be deemed to begin January 1, irrespective of the date on which an appointment is confirmed.

(b) In instances of unexpired terms, vacancies shall be filled for the balance of the unexpired term in the same manner as original appointments. The Chairman of the Board shall be elected by the members at the first meeting of each year.

(Ord. 1992-70. Passed 11-8-82.)

**1335.30 JURISDICTION OF THE BOARD.**

The Board shall adopt such rules and regulations, provided they are not in conflict with this Zoning Ordinance, as may be necessary to carry into effect the powers and jurisdiction conferred upon it as follows:

(a) To hear appeals on decisions made by the Building Commissioner, or by any administrative officer on matters relating to the Zoning Ordinance for relief from any order, requirement, decision or determination, including the refusal, granting or revocation of permits, and may thence decide appeals by reversing, or affirming wholly or in part, or modifying such order, requirement, decision or determination.

(b) To hear and decide upon applications for variations from the terms provided in this Zoning Ordinance subject to the standards provided in Sections 1335.60 and 1335.70:

(c) To hear and decide all matters specifically referred to it for decisions, such as determination of district boundary lines, as provided in this Zoning Ordinance.

(Ord. 1961-103. Passed 12-29-61.)

**335.40 APPLICATION FOR APPEALS OR VARIANCES.**

An appeal shall be entertained by the Board only if formal action has been taken by the Building Commissioner or other officers with regard to an application for a building permit, zoning certificate, issuance of a stop order, specific referral or some similar action; provided:

(a) Within thirty days of such action, application for appeal from a decision shall be filed with the Building Commissioner, and where applicable, an application for a variance shall be filed with the Building Commissioner; and

(b) Application for appeal or variance shall include reference to the decision or section of this Zoning Ordinance from which the appeal or variance is sought and all necessary data in accordance with the form provided; and

(c) The payment of a one hundred fifty dollar (\$150.00) fee to defray expenses shall accompany an application for appeal and/or variance. A fee shall not be required for a request for a decision specifically required by this Zoning Ordinance.

(Ord. 2001-38. Passed 5-21-01.)

**1335.50 MEETINGS AND HEARINGS.**

(a) The Board shall schedule regular monthly meetings, which may be canceled if no appeals are filed. Special meetings may be arranged at the call of the Chairman. The Board shall hold public hearings before making any decisions on an appeal.

(b) If an appeal is received at least five days before a regularly scheduled meeting of the Board, it shall hold a hearing within forty-days from the meeting date. A decision shall be rendered within forty-five days from the date of the hearing unless an extension of time is mutually agreed upon. Failure to render a decision within such period shall be considered approval.

(c) Notices of the time and place of hearings shall be mailed, by first class mail, by the Secretary of the Board to the appellant, to all abutting property owners, and if determined by the Board, to other property owners affected by the case, as they appear in the current records of Lake County, at least one week prior to the hearing, and/or be published for two successive weeks prior thereto in a newspaper of general circulation in the City.

(d) All hearings conducted by the Board shall be open to the public. Any person may appear and testify at a hearing either in person or by a duly authorized agent or attorney.

(e) The Board shall have the power to subpoena and require the attendance of witnesses, to administer oaths, to compel testimony, to produce reports, findings and other evidence pertinent to any issue referred to the Board for a decision.

(f) The Board shall entertain a rehearing on a case if new evidence is submitted; however, once a case has been decided, such rehearing shall not be held for a period of at least six months from the date of the previous decision. (Ord. 1961-103. Passed 12-29-61.)