

VILLAGE OF DENNISON, OHIO

ZONING CODE

ORDINANCE NO. 2052

ADOPTED BY VILLAGE COUNCIL SEPTEMBER 3, 1998

ARTICLE XVII DISTRICT CHANGES

1700 General

1700.1 Whenever the public necessity, convenience, general welfare or good zoning practices require, the Council may, by ordinance -- after receipt of recommendations thereon from the Planning Commission and subject to the procedures provided by law -- amend, supplement or change the regulations, district boundaries or classification of property, now or hereafter established by this Ordinance or amendments thereof. It shall be the duty of the Commission to submit its recommendations regarding all applications or proposals for amendments or supplements to the Council.

1701 Procedure for Change in Zoning Districts

1701.1 Amendments or Supplements to Zoning Ordinance; Procedure; Referendum: Amendments or supplements to the zoning ordinance may be initiated by motion of the Planning Commission by the passage of an ordinance therefor by the Council or by the filing of an application therefor by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the Planning Commission. The Council shall upon the passage of such ordinance certify it to the Commission.

Upon the adoption of such motion, or the certification of such ordinance, or the filing of such application the Commission shall set a date for a public hearing thereon, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the certification of such ordinance or the date of adoption of such motion or the date of the filing of such application.

1701.2 Applications for any change of district boundaries or classifications of property as shown on the zoning map shall be submitted to the Commission at its public office upon such forms and shall be accompanied by such data and information as may be prescribed for that purpose by the Commission so as to assure the fullest practicable presentation of facts for the permanent record. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications. Applications for amendments initiated by the Commission shall be accompanied by its motion pertaining to such proposed amendment.

1701.3 Names and Addresses of Adjacent Property Owners: Any person or persons desiring a change in the zoning classification of property shall file with the application for such change a statement giving the names and addresses of the owners of all properties lying within two hundred (200) feet of any part of the property, the zoning classification of which is proposed to be changed.

1701.4 Referral of Proposed Change to County Regional Planning Commission: Within five (5) days

after the filing of an application for change in the ordinance or districts, the Commission shall transmit a copy thereof, together with text and map pertaining thereto, to the County Regional Planning Commission. The County Regional Planning Commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the Commission. Such recommendation shall be considered at the public hearing held by the Commission on such proposed amendment or supplement.

1701.5 Public Hearing by Commission: Before submitting its recommendation on a proposed amendment to the Council, the Commission shall hold a public hearing thereon, notice of which shall be given by publication in a newspaper of general circulation in the municipality at least thirty (30) days before the date of the hearing. The notice shall state the place or places and times at which the proposed amendment to the ordinance, including text and maps, may be examined.

1701.6 Notice to Property Owners: If the proposed amendment or supplement 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 Clerk by first-class mail at least twenty (20) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the county auditor's current tax list or the treasurer's mailing list and to such other list or lists that may be specified by the Commission. The failure to notify, as provided in this section, shall not invalidate any recommendations adopted hereunder, it being the intention of this section to provide, so far as may be possible, due notice to persons substantially interested in the proposed change that an application is pending before the Commission, proposing to make a change in the zoning district map or the regulations set forth in this Ordinance.

1701.7 Action of Commission: The Commission may recommend that the application be granted as requested or it may recommend a modification of the zoning amendment requested in the application or it may recommend that the application be not granted. These recommendations shall then be certified to the Council within thirty (30) days after the hearing.

1701.8 Public Hearing by the Council: After receiving from the Commission the certification of said recommendations on the proposed amendment and before adoption of such amendment, the Council shall hold a public hearing thereon within thirty (30) days notice of the time and place of which shall be given by publication in a newspaper of general circulation in the municipality once a week for two weeks. The notice shall state the place or places and times at which the proposed amendment to the ordinance including text and maps may be examined and other notices as required by state statutes.

1701.9 Action of the Council: Within twenty (20) days after holding the public hearing on the proposed amendment the Council shall consider such recommendations and vote on the passage of the proposed amendment to the text of the ordinance or zoning district map. No such ordinance, measure or regulation which differs from or departs from the plan or report submitted by the Commission, Board or officer shall take effect unless passed or approved by not less than three-fourths (3/4) of the majority of the legislative authority.

1702 Application Fees

1702.1 At the time that an application for a change of zoning districts is filed with the Commission, as provided herein, there shall be deposited with the Treasurer the sum of thirty dollars (\$30.00) as a fee to cover investigation, legal notices and other expenses incidental to the determination of such matter, such fee to be for one (1) lot or part of one (1) lot. An additional fee of five dollars (\$5.00)

shall be deposited for each additional lot or part of an additional lot which may be included in the request, such additional lot or part of a lot to be adjacent to each other. Such sums so deposited shall be credited by the Treasurer to the General Fund.