

VILLAGE OF CHAGRIN FALLS
PROCEDURE FOR FILING AN APPEAL

- 1) An appeal shall be considered by the Board of Zoning Appeals only after formal action has been taken by the Administrator or other officers, boards or commissions with regard to an application for a building permit, zoning certificate, issuance of a stop order, specific referral or some similar action; provided that:
 - a) Within ten (10) days of such action, application for appeal from a decision shall be filed with the Administrator; and when applicable, an application for a variance shall be filed with the Administrator; and
 - b) Application for appeal shall include reference to the decision from which the appeal is sought and all necessary data in accordance with the form provided.
 - c) An application for an appeal may be filed only by the person who has been denied a building permit, zoning certificate or any other authorization, or a person who has received a stop work order under any provision of the Codified Ordinances, or any property owner who should have received a notice of a request for approval of a project pursuant to Section 1109.05 of the Codified Ordinances and who has an interest, established by law, in the disposition of such matter.
- 2) In the event an appeal is filed pursuant to this section, the Building Inspector shall issue an order to the permit recipient to discontinue all work authorized under such permit, in accordance with Section 1307.10, during the pendency of the appeal.
- 3) The appeal will be heard at the next regularly schedule Board of Zoning Appeals hearing which occurs not less than twenty-two (22) days after receipt of the application and fee. The Board meets the 4th Tuesday of the Month, as needed.
- 4) The applicant must submit **Eight (8) copies** of the application, plans and supporting documentation shall be submitted to the Chief Administrative Officer and remit **application fee of \$100.00** (Ordinance No. 2005-35).
- 5) Upon receipt of such application and fee, the Chief Administrative Officer will: Advertise a Public Hearing of the appeal not less than fifteen (15) days prior to such hearing. The Public Hearing date to coincide with the next regularly scheduled Meeting of the Board of Zoning Appeals. Notify adjacent property owners within a radius of 300 feet of the Public Hearing. Such notification to be by first class mail at least fifteen (15) days prior to the hearing date. Transmit a copy of the requested variance or appeal to each member of the Board of Zoning Appeals and Council not less than seven (7) days prior to the next regularly scheduled meeting of the Board of Zoning Appeals.
- 6) At its regularly scheduled meeting, the Board of Zoning Appeals will;
 - a) Hold a Public Hearing.
 - b) Hear testimony and consider the variance request.
 - c) Act by motion on the request by granting, granting with conditions or not granting the request and giving reasons for the action.
- 7) Following the decision of the Board of Zoning Appeals, the Chief Administrative Officer will:
 - a) Transmit the decision to Council.
 - b) Council, within 15 days of notice of the decision, may by petition of three members, set a public hearing to review the full case.
 - c) If a petition is filed the Council decision shall be final.
 - d) If no petition is filed then the Board of Zoning Appeals decision shall be final after the window for petition is closed.

Fee \$100.00

VILLAGE OF CHAGRIN FALLS

APPLICATION FOR APPEAL

An appeal shall only be entertained by the Board of Zoning Appeals if formal action has been taken by the Administrator 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 ten (10) days of such action, application for appeal from a decision shall be filed with the Administrator. Appeals filed outside the ten day appeal time limit shall be denied without a hearing by the Board of Zoning Appeals and,
- (b) Application for appeal shall include reference to the specific decision or section of this Zoning Code from which the appeal is sought and include eight (8) copies of all supporting documents the applicant wants the Board to consider.

(1) Action appealed: _____

Date of action _____

(2) Name of Applicant _____

Address: _____

Telephone # _____

(3) Reason for Appeal _____

Signature of Applicant

Print Name

Date