



[FOR OFFICE USE ONLY]

Board of Zoning Appeals Administrative Appeal

Planning & Zoning Department
100 Dayton St, 2nd Floor
Yellow Springs, OH 45387
(937) 767-1702

Case #: _____

Hearing Date: _____

FOR VILLAGE USE ONLY

Address:		Tax Map Page:	
Owner:		Business Name:	
Lot:		Use:	
Parcel:		Subdivision:	

On (date) _____ (applicant name) _____

approached the Planning and Zoning office for a permit for the following project: _____

The permit application was denied for the following reasons: _____

Zoning Administrator

Date

FOR APPLICANT

Members of the Board:

The undersigned, being the owner or duly authorized agent of the owner of the property described above, wishes to appeal the decision of the Zoning Administrator.

I affirm that the zoning standards applying to my particular case have been fully explained to me. I further affirm that the general application of zoning standards in Yellow Springs has been explained to me, along with the constraints under which the Board of Appeals must operate in ruling on applications for variances and exceptions.

The Administrative Appeal shall be conducted as outlined in Section 1278.05 of the Village Zoning Code.

The provisions or requirements of the Zoning Code as will not be contrary to the public interest, but only in the case of peculiar conditions involving irregular, abnormally narrow, shallow or steep lots, or other unusual conditions, whereby strict and literal application of provisions or requirements of this Code would result in practical difficulty and unnecessary hardship that would deprive the owner of the reasonable use of the land or buildings involved.

The narrative, a scale drawing plot plan, a list of the owners names and addresses of those properties that directly adjoin the subject property, and such materials that I may choose to bring to the Board's attention all constitute my application.

Owner Signature

Date

Applicant Signature

Date

1278.05 ADMINISTRATIVE APPEAL.

(a) An administrative appeal of an order, requirement, decision or determination by the Zoning Administrator or body charged with enforcement and administration of this code must be submitted no more than 20 calendar days after the action or decision has been made that is being appealed.

(b) A submitted application for an administrative appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to Village Council, after the notice of appeal is filed, that by reason of facts stated in the application, a stay would cause imminent peril to life and property. In such case, and upon concurrence by the Council, proceedings shall not be stayed other than by a restraining order which may be granted by a court of record.

(c) In deciding the appeal, the Board shall determine whether or not the decision that was made was done so using the proper requirements and standards in this code. The decision of the Board is limited to the information that was available to the administrative official or body who made the decision being appealed.

(d) Decision. After the Board of Zoning Appeals public hearing and review, the Board of Zoning Appeals may determine to reverse or affirm, wholly or in part, or may modify the administrative decision. When the Board reverses the administrative decision, the Board shall have all powers of the Zoning Administrator or administrative body from whom the appeal is taken.

(Ord. 2013-19. Passed 9-16-13.)