
CHAPTER 1147 ADMINISTRATION

1147.01 PURPOSE.

This Chapter sets forth the powers and duties of the Zoning Inspector, Planning Commission, and the Zoning Board of Appeals with respect to the administration of the provisions of this Ordinance.

1147.02 GENERAL PROVISIONS.

The formulation, administration, and enforcement of this Zoning Ordinance is hereby vested in the following offices and bodies within the City of Tiffin government:

- (a) Zoning Inspector.
- (b) Planning Commission.
- (c) Zoning Board of Appeals.

1147.03 ZONING INSPECTOR.

It shall be the duty of the Zoning Inspector to enforce the provisions of this Zoning Code. He or she may be provided with the assistance of such other persons as the City Administrator may direct.

- (a) Duties of the Zoning Inspector.
For the purpose of this Ordinance, the Zoning Inspector shall have the following duties:
 - (1) Enforce the provisions of this Ordinance and interpret the meaning and application of its provisions, as well as ordering in writing the discontinuance of any known condition found in violation of this Zoning Ordinance. Request the Director of Law to commence appropriate legal action when necessary.
 - (2) Respond to questions concerning applications for amendments to the Zoning Ordinance text and the Official Zoning Map.
 - (3) Issue Zoning Permits as provided by this Ordinance and keep a record of same with a notation of any special conditions involved.
 - (4) Act on all applications upon which he or she is authorized to act by the provisions of this Ordinance within thirty (30) days, or notify the applicant in writing of refusal or disapproval of such application and the reasons therefore. Failure to notify the applicant in case of such refusal or disapproval within the specified time shall entitle the applicant to submit his or her request to the Zoning Board of Appeals.
 - (5) Conduct inspections of buildings and uses of land to determine compliance

with this Ordinance and in the case of any violation, to notify in writing the person(s) responsible, specifying the nature of the violation and ordering corrective action.

- (6) Maintain in current status the Official Zoning Map which shall be kept on permanent display in the City Offices.
- (7) Maintain permanent and current records required by this Ordinance including, but not limited to, Zoning Permits, zoning certificates, and inspection documents. Records of all variances, amendments, and conditional uses shall be kept by the Zoning Inspector.
- (8) Make such records available for the use of the City Council, Planning Commission, the Zoning Board of Appeals, and the public.
- (9) Review site plans pursuant to this Ordinance.
- (10) Determine the existence of any violations of this Ordinance and cause such notifications, revocation notices, stop orders, or tickets to be issued, or initiate such other administrative or legal action as needed to address such violations.

1147.04 PLANNING COMMISSION.

A description of the organization and responsibilities of the Planning Commission are provided in the City of Tiffin Charter and in this Ordinance.

- (a) Appointment and Organization.
 - (1) The Planning Commission shall be composed of seven (7) voting members in accordance with Section 7.01 of the Charter of the City of Tiffin.
 - (2) The term of office shall be four (4) years and their terms shall be so arranged that the term of two (2) members shall expire every two (2) years. Any vacancy shall be filled for the remainder of the unexpired term in the manner the original appointment was made.
- (b) Proceedings of the Planning Commission.
 - (1) The Commission shall elect a Chairperson and Vice-Chairperson from its membership and shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Ordinance.
 - (2) Commission meetings shall be held at the call of the Chairperson and at such other times as the Commission may determine.
 - (3) All meetings shall be open to the public.
 - (4) The Planning Commission shall keep minutes of its proceedings showing the

vote for each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions. All minutes shall be public record and immediately filed in the office of the Commission.

(c) Duties of the Planning Commission.

For the purpose of this Ordinance, the Commission shall have the following duties:

- (1) Review all proposed amendments to the text of this Ordinance and the Official Zoning Map and make recommendations to the City Council.
- (2) Initiate advisable Official Zoning Map changes or changes in the text of the Zoning Ordinance where same will promote the best interest of the public in general through recommendations to the City Council.
- (3) Review all Planned Unit Development Applications and make recommendations to the City Council as provided in this Ordinance.
- (4) Carry on a continuous review of the effectiveness and appropriateness of this Ordinance and recommend such changes or amendments as it feels would be appropriate.
- (5) Administer the Subdivision Regulations as set forth in Chapters 1121-1129 of Codified Ordinances.
- (6) Administer the conditional use permits in accordance with 1148.04

1147.05 ZONING BOARD OF APPEALS.

The Zoning Board of Appeals is described as a quasi-judicial body that shall hear requests for conditional uses, variances, and appeals and decide whether or not to grant the request. A description of the organization and responsibilities of the Board of Zoning Appeals is provided in the City of Tiffin Charter and in this Ordinance.

(a) Appointment and Organization.

In accordance with Section 7.03 of the Charter of the City of Tiffin, the Zoning Board of Appeals (Board) shall consist of qualified voting members

(b) Proceedings of the Zoning Board of Appeals.

- (1) The Board shall elect a Chairperson and Vice-Chairperson, adopt rules necessary to the conduct of its affairs in keeping with the provisions of this Ordinance, and appoint a Secretary who may or may not be a member of the Board.
- (2) The Secretary shall record Board action and keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact; and shall keep records of its

examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be public record.

- (3) Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or in his absence the Vice-Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public.
- (4) The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Inspector; or to decide in favor of the applicant on any matter over which the Board has original jurisdiction under this Ordinance, or to grant any variance from the requirements stipulated in this Ordinance.

(c) DUTIES OF THE ZONING BOARD OF APPEALS.

For the purpose of this Ordinance, the Board shall have the following powers and duties:

- (1) Hear and decide appeals where it is alleged there is error in any order, requirement, decision, interpretation or determination made by the Zoning Inspector in the enforcement of this Zoning Code.
- (2) Interpret the provisions of this Zoning Code and Official Zoning Map in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts and made a part of this Zoning Code, where the actual street layout on the ground varies from the street layout as shown on the map.
- (3) Authorize such variances from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of this Ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and substantial justice done.
- (4) In the case of a use that is not specifically mentioned in this Ordinance, the Zoning Board of Appeals may classify the use of a similar nature to a use that is already listed in this Ordinance. The use that is approved as a similar use shall be recommended by the Planning Commission and Council for addition to the permitted uses in the zoning districts previously described in this Ordinance.
- (5) The Zoning Board of Appeals is hereby granted authority to grant permits after a public hearing, in accordance with the procedure for variations in use, for the installation, replacement, additions, or alterations for trailer occupancy. Three or more trailers shall constitute a trailer court which shall require at least two thousand square feet (2,000 s.f.) of land area for each trailer, and no trailer shall be closer than twenty feet (20') to any property line. All State and City sanitary regulations shall be complied with in each

instance.

- (6) The Zoning Board of Appeals may also permit upon appeal, the following exceptions:
 - A. The reconstruction of a nonconforming building which has been more than seventy-five percent (75%) destroyed or partially destroyed by fire or act of God, provided such reconstruction work is begun and completed within two (2) years of the occurrence of the damage or destruction.
 - B. The erection and use of a structure or the use of premises in any location for public utility or railroad purposes which the Board deems reasonable and necessary for the public convenience or welfare.
 - C. Variation of the parking and loading requirements of this Zoning Code, whenever it is clearly demonstrated that the provision of the full parking or loading facilities where such a requirement would impose an unreasonable hardship upon the use of the lot as contrasted with merely granting an advantage or a convenience.
 - D. A temporary building used in conjunction with construction work but only for a period not exceeding one (1) year unless the permit is renewed, during which the construction is in progress. Any such temporary building shall be removed on completion of the construction work.
- (7) In exercising the above-mentioned duties, in conformity with the provisions of the law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination which should be made, and to that end shall have all the powers of the Zoning Inspector. (Ord. 2305. Passed 12-21-65)
- (8) Perform such other functions and have such other powers as Council may provide.

1147.06 REMOVAL FOR MISCONDUCT AND VACANCY APPOINTMENTS.

Each member of the Zoning Board of Appeals and the Planning Commission shall serve until his or her successor is appointed and qualified. Members shall be subject to removal according to Section 11.02 of the Charter of City of Tiffin.

1147.07 DUTIES OF THE ZONING INSPECTOR, BOARD OF ZONING APPEALS, LEGISLATIVE AUTHORITY, AND COURTS ON MATTERS OF APPEALS.

- (a) It is the intent of this Ordinance that all questions of interpretation and enforcement

shall be first presented to the Zoning Inspector and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector. Recourse from the decisions of the Board shall be to the courts as provided by law.

- (b) It is further the intent of this Ordinance that the duties of the City Council, in connection with this Ordinance, shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this Section and this Ordinance.
- (c) Under this Ordinance, the City Council shall only have the duties of considering and adopting or rejecting proposed amendments or the repeal of this Ordinance as provided by law and of establishing a schedule of fees and charges as stated in Section 1145.17 of this Ordinance.
- (d) Interpretation of District Map.
Where the street or lot layout, actually on the ground or as recorded, differs from the street line and lot lines as shown on the Official Zoning Map, the Zoning Board of Appeals, may interpret the map in such a way as to carry out the intent and purpose of the Zoning Ordinance. In case of any questions as to the location of any boundary line between zoning districts, a request for interpretation of the Official Zoning Map may be made to the Board and a determination shall be made by the Board.
- (e) Board May Reverse or Affirm Orders.
In exercising its power, the Zoning Board of Appeals may, in conformity with the provisions of statute and the Zoning Ordinance, reverse or affirm wholly or partly or may modify the order, requirements, decision, or determination as ought to be made and to that end, shall have all powers of the officer from whom the appeal is taken.