

## **ARTICLE 32            ENFORCEMENT**

### **3200    ZONING MANAGER**

It shall be the duty of the Sylvania Township Zoning Manager , appointed by the Board of Trustees, to review applications for Zoning Certificates, Project Plan Review, Zoning Changes, Variances, Exceptions, Conditional Uses, Appeals, perform on-site inspections, investigate violations, enforce this Resolution, and maintain records of all zoning activities, including non-conforming uses.

### **3201    APPLICATIONS**

Written application for a Zoning Certificate shall be made to the Zoning Department and issued within ten (10) days after the written request has been made, provided such request is in conformity with the provisions of this Resolution.

### **3202    ZONING CERTIFICATE**

As provided for in Article 2 Section 203 a Zoning Certificate shall be required any time an owner and/or an occupier of land located within the boundaries of Sylvania Township changes or permits the change of the use of land and/or erects, constructs, reconstructs, enlarges or structurally alters in whole or in part any structure or building, whether permanent or temporary, located upon such land.

A request for a Zoning Certificate shall be made to the Zoning Manager in writing upon a form provided by the Zoning Department and must be accompanied by the necessary fees. The Zoning Manager shall not consider or act upon any Zoning Certificate application, which he/she deems to be incomplete and/or does not provide the necessary information. The application may be filed by mail, in person, by facsimile or by email with the Zoning Department. If the application is filed by facsimile or by email, the applicant must make appropriate arrangements for the payment of all necessary fees at the time the application is received by the Zoning Department or it shall be deemed incomplete. By the filing of an application for a Zoning Certificate, the applicant expressly consents to the entry upon the land in question for the purpose of inspecting the land, structure and/or building by the Zoning Manager and/or any of his/her designated representatives. In all instances, the Zoning Manager and/or his/her designated representative shall not enter the land, structure and/or building in question without first notifying the applicant of the date and time of the inspection. If the applicant refuses the Zoning Manager and/or his/her representative admittance to the land, structure and/or building, then the application shall be deemed to have been withdrawn by the applicant.

The Zoning Manager shall grant or deny an application for a Zoning Certificate within thirty (30) days of the filing of a complete application. If granted, the Zoning Certificate shall state that the action of the applicant as set forth in the application is in conformity with the provisions of this Resolution.

### **3202 ZONING CERTIFICATE (cont'd)**

A Zoning Certificate shall be issued when the Zoning Manager determines that the proposed use of the land and/or the proposed erection, creation, change, conversion, modification or enlargement is permanent or temporary, and that the proposed use and/or erection, creation, change, conversion, modification or enlargement in whole or in part of any structure or building, whether permanent or temporary, located upon such land in question does not violate and is in conformity with the provisions of this Resolution; or if the Zoning Manager receives a written order from the Board of Zoning Appeals directing him/her to issue a Zoning Certificate.

An applicant may appeal the decision of the Zoning Manager by filing a written appeal on a form available from the Zoning Department which may be filed electronically, by mail or in person at the Zoning Department within twenty (20) days of the date of the notice of the denial and/or by filing an application for a variance with the Board of Zoning Appeals. An applicant may file for alternative relief, that is, he/she may file an application for a variance and may appeal the decision of the Zoning Manager; therefore allowing alternative contentions to be made.

All Zoning Certificates shall be conditional upon the change in the use of the land and/or commencement of work activity thereon within eighteen (18) months from the date of issuance of the Zoning Certificate and shall expire eighteen (18) months from the date of issuance of the Zoning Certificate unless properly renewed. The Zoning Certificate may be renewed for an additional six (6) months only with the approval of the Zoning Manager and if the structure is actively under construction. A request for renewal shall be made in writing and filed with the Zoning Department in the manner previously prescribed. A final Zoning Certificate shall be issued on completion of all work necessary to effectuate the change in the use of the land and the satisfaction of all stipulated zoning conditions.

A record of all zoning applications and Zoning Certificates shall be kept on file in the Zoning Department. Copies shall be furnished upon request to any person and are considered public records.

(Rev. 4-3-09. Z20-C930.)

### **3203 SITE PLAN REQUIREMENTS**

Every application for a Zoning Certificate shall be accompanied by a site plan and such other plans as may be necessary to indicate the location and type of buildings to be erected or alterations to be made. Each property owner or duly authorized agent shall be required to attest to the correctness of statements and data furnished with the application.

Where construction or physical improvement of the land is involved, the lot and location of the buildings to be erected thereon shall be staked out on the ground before construction is started, and all dimensions shown on the filed plans shall be based on the actual survey. Where complete and accurate information is not readily available from the existing records, the Zoning Manager may require the applicant to furnish a survey.

### **3203 SITE PLAN REQUIREMENTS (cont'd)**

- A.** Each site plan shall be drawn to scale and include the following:
1. The location of the street that the lot is fronting on and the relationship to the nearest cross street.
  2. Legal description
  3. Exact lot dimensions with yard and other open space measurements.
  4. Size and location of existing structure(s) on the property
  5. Size and location of proposed structure or alteration to existing structure.
  6. Any other necessary information as requested by the Zoning Department for the enforcement of this Resolution.

### **3204 ZONING FEES**

A fee shall accompany each Zoning Certificate application or request in accordance with the Township fee schedule. The Zoning Department shall deposit all fees with the Township Fiscal Officer who shall credit such fees to the General Fund.

### **3205 VIOLATIONS AND PENALTIES**

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain, or create a nuisance to any building, land, or use in violation of any provisions of this Resolution, amendment, or supplement adopted by the Board of Trustees.

The Zoning Manager may determine said nuisance, non-compliance, or use is in violation of health or safety, which may cause injury to the property of another, endanger life and health, is offensive to the senses, violates laws of decency, or obstructs the reasonable, practical and comfortable use of ones property. On behalf of the Trustees, the Zoning Manager may institute appropriate action to achieve compliance of such nuisance, location, erection, construction, reconstruction, enlargement, change, maintenance, or use to protect whoever would be specifically damaged by said violation.

- A.** Any person, firm, or corporation violating any regulation shall be fined up to \$500.00 each day said non-compliance continues.
- B.** Any Zoning Certificate issued upon false statement of any fact, which is material to the issuance thereof, shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Zoning Certificate shall be revoked by notice in writing to be delivered to the holder upon the premises concerned, or, if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new Zoning Certificate in accordance with this Resolution shall be deemed guilty thereof.

