

Retained 11/5/90
Veto overridden 12/3/90

ORDINANCE NO. C-89-90

AN ORDINANCE TO AMEND CHAPTER 1133 OF THE CODIFIED
ORDINANCES OF GROVE CITY ENTITLED BOARD OF ZONING APPEALS

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. Section 1133.02(b) of the Codified Ordinances of the city which reads: (b) To authorize upon appeal, in specific cases, such variance from the terms of the Zoning Code and the Sign Code (Chapter 1323) upon the affirmative finding that:

IS HEREBY AMENDED TO READ:

(b) To authorize upon appeal from a decision of the Building Inspector in refusing building permits, certificates of occupancy, or sign permits, in specific cases, such variance from the terms of the Zoning Code and the Sign Code (Chapter 1323) upon the affirmative finding that:

SECTION 2. Section 1133.04 of the Codified Ordinances is hereby amended to include the following sentence: If an appeal is taken from a decision of the Board of Zoning Appeals in granting a variance as provided by 1133.07, such findings of fact are to be completed and made available to all parties and to City Council prior to the time that Council meets to hear the appeal.

SECTION 3. Section 1133.06 is hereby amended to include the following sentence: All decisions of the Board of Zoning appeals shall be final and effective after the decision is announced by the Board, except that any decision granting a variance will not take effect until the expiration of twenty-one (21) days from the date of the meeting of the Board at which such decision is announced during which time the decision may be appealed to City Council as provided in Section 1133.07.

SECTION 4. New Section 1133.07 is hereby enacted and shall read: If the Board of Zoning Appeals grants a request or appeal for a variance, the applicant, any aggrieved person, or any elected official of the City may appeal such decision of the Board of Zoning Appeals to the City Council. Such appeal shall be taken within twenty-one (21) days from the date of the meeting of the Board at which such decision granting the variance is announced by filing a written notice of appeal with the Clerk of Council. If an appeal is filed, a resolution to affirm, reverse, or otherwise modify the decision of the Board shall be placed on the agenda of the next regular meeting of Council to be heard and determined by Council pursuant to the rules and procedures of Council. The decision of Council shall be final.

SECTION 5. This ordinance shall take effect at the earliest opportunity allowed by law.

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Earl R. Nicholson
Earl R. Nicholson, President of Council

Passed: 11/5/90

~~Richard L. Stage~~ 11/5/90.
Richard L. Stage, Mayor

Effective: 12/5/90

Attest: June A. Cook
June A. Cook, Clerk of Council

I Certify that this ordinance is correct as to form.

R.E. Gunderman
R.E. Gunderman, Director of Law