

Article 2: Administration

Section 2.01 Purpose

The purpose of this article is to identify the roles and responsibilities of various elected and appointed boards, and the duties of township staff, in the administration of this zoning resolution. This article also includes the review procedures for zoning text and map amendments, zoning certificates, appeals, conditional uses, and variances.

Section 2.02 Table of Review and Decision Making-Bodies

(A) Table 2.02-A summarizes the review and decision-making responsibilities of the entities that have roles in the procedures set forth in this article. Other duties and responsibilities of the entities are set forth in subsequent sections of this article.

(B) Even though not referenced in this table, other boards, commissions, government agencies, and non-government agencies may be asked by the Zoning Administrator, the Springfield Township Zoning Commission, the Springfield Township Board of Zoning Appeals, or the Springfield Township Board of Trustees, to review some applications, including, but not limited to, map amendments, text amendments, appeals, variances, conditional uses, and planned development districts. This includes the review authority granted to the Summit County Planning Commission pursuant to the ORC.

TABLE 2.02-A: SUMMARY TABLE OF REVIEW AND DECISION-MAKING BODIES					
H = HEARING (PUBLIC HEARING REQUIRED) M = MEETING (PUBLIC MEETING REQUIRED)		R = REVIEW AND/OR RECOMMENDATION D = DECISION (RESPONSIBLE FOR FINAL DECISION)			
PROCEDURE	SECTION	BOARD OF TRUSTEES	ZONING COMMISSION	BOARD OF ZONING APPEALS (BZA)	ZONING ADMINISTRATOR
Zoning Certificate	Section 3.04				R-D
Certificate of Conformance	Section 3.05				R-D
Zoning Text or Map Amendment	Section 3.06	H-D	H-R		R
Conditional Use	Section 3.07 Variance or Conditional Use			H-D	R
Variance	Section 3.07			H-D	R
Appeals	Section 3.08 Appeals			H-D	R [1]
Partial Development Review[3] ⁴	Section 3.03		M-D [2]		R-D [2]
Preliminary Development Review (not PD) [3] ⁴	Section 3.03		M-D		R
Final Development Review[3] ⁴	Section 3.03		M-D		
Preliminary Development Plan (for Planned Development District) [3]	Section 6.09(B)	H-D	H-R		R
Final Development Plan (for Planned Development District) [3]	Section 6.09(C)		M-D		R
<p>[1] The Zoning Administrator or other staff shall forward all records of their decision to the BZA including any staff report or summary that provides a history of actions and decisions made in relation to the appealed action.</p> <p>[2] Review process determined by the Zoning Administrator</p> <p>[3] Co-ordination for review and approval with Summit County Planning Commission required when necessary.</p>					

Section 2.03 Board of Trustees

For the purpose of this zoning resolution, the Springfield Township Board of Township Trustees, hereafter referred to as the Board of Trustees, shall have the following duties:

⁴ Effective 11/4/13

- (A) Initiate proposed amendments to the text of this zoning resolution and/or the official zoning map;
- (B) Review and decide on all proposed amendments to the text of this zoning resolution and/or the official zoning map;
- (C) Review and decide on preliminary development plans submitted as part of a planned development district; and
- (D) Perform all other duties as specified in Chapter 519 of the ORC and as specified in this zoning resolution.

Section 2.04 Zoning Commission

The Board of Trustees, for the purpose and intent of this zoning resolution, has hereby created and established the Springfield Township Zoning Commission, hereafter referred to as the Zoning Commission.

(A) APPOINTMENT AND ORGANIZATION

- (1) The Zoning Commission shall be composed of five members who reside in the unincorporated area of Springfield Township, Summit County, Ohio, to be appointed by the Board of Trustees.
- (2) Members shall serve five-year terms with the term of one member expiring each year.
- (3) Each member shall serve until his or her successor is appointed and qualified.
- (4) Members of the Zoning Commission shall be removable for non-performance of duty, misconduct in office, or other cause, by the Board of Trustees.
- (5) Vacancies shall be filled by appointment by the Board of Trustees and shall be for the time remaining in the unexpired term.

(B) ROLES AND POWERS

The Zoning Commission shall have the following roles and powers:

- (1) Initiate proposed amendments to the text of this zoning resolution and/or the official zoning map;
- (2) Review all proposed amendments to the text of this zoning resolution and/or the official zoning map and make recommendations to the Board of Trustees;
- (3) Review all partial development plans where it is determined by the Zoning Administrator that a full plan review process is not warranted due to scope of project and/or existing conditions but where the Commission's review is beneficial.⁴
- (4) Review all preliminary development plans submitted for the following:⁴
 - a) New construction in the C or I districts;⁴
 - b) New construction for conditional uses;⁴
 - c) Redevelopment of an existing site or structure if (3) above does not apply;⁴
 - d) Phased development projects including but not limited to subdivisions and open space developments;⁴
 - e) Preliminary development plans submitted as part of a Planned Development and make recommendations to the Trustees;
 - f) Review and decide on final development plans for the following:⁴
 - (i) All development listed in (4) above;⁴
 - (ii) Wind energy conservation systems⁴
- (5) Perform all other duties as specified for township zoning commissions in Chapter 519 of the ORC and as specified in this zoning resolution.

(C) ALTERNATES

- (1) The Board of Trustees may appoint two alternate members to the Zoning Commission for a term of two years each.
- (2) An alternate member shall take the place of an absent regular member at any meeting of the Zoning Commission.
- (3) An alternate member shall meet the same appointment criteria as a regular member.

⁴ Effective 11/4/13

⁴ Effective 11/4/13

(4) When attending a meeting on behalf of an absent member, the alternate member may vote on any matter the absent member is authorized to vote.

(5) When a vacancy occurs, alternate members do not automatically become full members of the Zoning Commission. Alternate members have to be appointed to replace a full member upon a vacancy.

(D) BYLAWS

The Zoning Commission may organize and adopt bylaws for its own governance provided they are consistent with law or with any other resolution of the township. Such bylaws shall be approved, by resolution, by the Board of Trustees.

(E) MEETINGS

(1) Meetings shall be held at the call of the chair, or the acting chair, and at such other times as the Zoning Commission may determine.

(2) All meetings shall be open to the public, except as exempted by law.

(3) The Zoning Commission shall keep minutes of its proceedings showing the vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record, unless exempted by law, and be immediately filed in the office of the Zoning Commission.

(F) QUORUM AND DECISIONS

(1) Any combination of three or more regular or alternate members of the Zoning Commission shall constitute a quorum.

(2) The Zoning Commission shall act when three members concur and every decision shall be accompanied by written findings specifying the reason for granting or denying the application, or making its recommendation.

Section 2.05 Board of Zoning Appeals (BZA)

The Board of Trustees, for the purpose and intent of this zoning resolution, has hereby created and established the Springfield Township Board of Zoning Appeals, hereafter referred to as the BZA.

(A) APPOINTMENT AND ORGANIZATION

(1) The BZA shall be composed of five members who reside in the unincorporated area of Springfield Township, Summit County, Ohio, to be appointed by the Board of Trustees.

(2) Members shall serve five-year terms with the term of one member expiring each year.

(3) Each member shall serve until their successor is appointed and qualified.

(4) Members of the BZA shall be removable for non-performance of duty, misconduct in office, or other cause, by the Board of Trustees.

(5) Vacancies shall be filled by appointment by the Board of Trustees and shall be for the time remaining in the unexpired term.

(B) ROLES AND POWERS

The BZA shall have the following roles and powers:

(1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision, grant, or refusal made by the Zoning Administrator in the interpretation or enforcement of the provisions of this zoning resolution.¹

(2) To hear and decide, in accordance with the provisions of this zoning resolution, applications filed for conditional uses, for interpretation of the zoning map, or for decisions upon other special questions on which the BZA is authorized by this zoning resolution to pass.

(3) In considering an application for a conditional use, the BZA shall have the power to impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this zoning resolution for the particular conditional use, as the BZA may deem necessary for the protection of adjacent properties and the public interest.

¹ Effective 8/12/13

(4) The BZA shall have the power to authorize upon appeal in specific cases, filed as herein provided, such variances from the provisions or requirements of this zoning resolution as will not be contrary to the public interest, but only in such cases where, owing to special conditions pertaining to a specific piece of property, the literal enforcement of the provisions or requirements of this zoning resolution would cause unnecessary hardship, and so that the spirit of the resolution shall be observed and substantial justice done. The BZA may attach thereto such conditions regarding the location, character and other features of the proposed structure or use, as it may deem necessary in the interest of the furtherance of the purposes of the zoning resolution and in the public interest.

(5) To review and provide an interpretation of the zoning map or zoning text whenever there is a question of how the zone districts or regulations of this resolution are applied.

(6) To permit the substitution of a nonconforming use existing at the time of enactment of this resolution in compliance with [Article 14: Nonconformities](#).

(7) All other powers conferred upon township boards of zoning appeals in Section 519.14 of the ORC, or as authorized by the Board of Trustees in compliance with state law.

(C) ALTERNATES

(1) The Board of Trustees may appoint two alternate members to the BZA for a term of two years each.

(2) An alternate member shall take the place of an absent regular member at any meeting of the BZA.

(3) An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter the absent member is authorized to vote.

(4) When a vacancy occurs, alternate members do not automatically become full members of the BZA. Alternate members have to be appointed to replace a full member upon a vacancy.

(D) BYLAWS

The BZA may organize and adopt bylaws for its own governance provided they are consistent with law or with any other resolution of the township. Such bylaws shall be approved, by resolution, by the Board of Trustees.

(E) MEETINGS

(1) Meetings of the BZA shall be held at the call of the chair, or the acting chair, and at such other times as the BZA may determine.

(2) The chair, or in their absence, the acting chair, may administer oaths and the BZA may compel the attendance of witnesses per Section 519.15 of the ORC.

(3) All meetings of the BZA shall be open to the public, except as exempted by law.

(4) The BZA shall keep minutes of its proceedings showing the vote, indicating such fact and shall keep records of its examinations and official actions, all of which shall be filed in the office of the Springfield Township Fiscal Officer and shall be a public record, unless exempted by law.

(5) The BZA may call upon any township department for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the BZA as may reasonably be required.

(F) QUORUM AND DECISIONS

(1) Any combination of three regular or alternate members of the BZA shall constitute a quorum.

(2) The BZA shall act by resolution when at least three members concur. Every decision shall be accompanied by written findings of fact, based on testimony and evidence and specifying the reason for granting or denying the application.

Section 2.06 Zoning Administrator

The Board of Trustees shall appoint a Zoning Administrator who shall serve as the zoning inspector referenced in Section 519.16 of the ORC.

(A) ROLES AND POWERS

The Zoning Administrator shall have the following roles and powers:

(1) To serve as the Zoning Inspector for Springfield Township, Summit County, Ohio;

(2) To serve as the architectural review authority, as granted by Section 519.171 of the ORC;

- (3)** To conduct inspections of buildings and land to determine compliance with this resolution;
- (4)** To review applications for zoning certificates and to ensure compliance with this zoning resolution in accordance with Section 3.04: Zoning Certificate;
- (5)** To collect all fees required for all applications;
- (6)** To provide input, staff reports, or other guidance to the Board of Trustees, Zoning Commission, and/or BZA when requested;
- (7)** After written request from the owner or tenant, the Zoning Administrator shall issue a zoning certificate for any building or premises existing at the time of enactment of this resolution, certifying, after inspection, the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this resolution;
- (8)** It shall be the duty of the Zoning Administrator to keep adequate records of all applications and decisions on said applications;
- (9)** It shall be the duty of the Zoning Administrator to issue citations of zoning violations and keep adequate records of all violations;
- (10)** The Board of Trustees may also appoint additional personnel to assist the Zoning Administrator in such roles and powers;
- (11)** To seek the advice of professional consultants, when authorized by the Board of Trustees; and
- (12)** To conduct additional duties as designated by the Board of Trustees or as specified in this zoning resolution.

(B) DECISIONS

- (1)** A decision of the Zoning Administrator may be appealed to the BZA pursuant to [Section 3.08: Appeals](#).
- (2)** The Zoning Administrator shall have appropriate forms available at the time of denial.