

TITLE THREE – ZONING CERTIFICATES

CHAPTER 1135 ZONING CERTIFICATES

1135.01 Certificate Required.

1135.02 Conditions Under Which Certificates Required.

1135.03 Filing Plans.

1135.04 Application and Issuance of Certificate.

1135.05 Fees.

CROSS REFERENCES

Zoning Certificate defined – See P. & Z. 1131

Certificates for use subject to performance requirements – See P. & Z. 1137

1135.01 CERTIFICATE REQUIRED.

No owner shall use or permit the use of any:

Building,

Land,

Structure, or

Part there thereof,

Hereafter created, erected, changed, converted or enlarged, wholly or partly until a Zoning Certificate shall have been issued by the Zoning Administrator.

An owner shall obtain a Zoning Certificate issued by the Zoning Administrator before using or permitting the use of any:

Building,

Land,

Structure, or

Part thereof.

Such Certificate shall show that such building or premises, or a part thereof, and the proposed use thereof are in conformity with the provisions of this zoning Ordinance.

It shall be the duty of the Zoning Administrator to issue a Certificate,

Provided he/she is satisfied that the structure, building or premises, and the proposed use thereof, conform with all the requirements of this Zoning Ordinance.

No permit for excavation or construction shall be issued by the Zoning Administrator

Unless the plans, specifications and the intended use conform to the provisions of this Zoning Ordinance.

(Ord. 10-63. Passed 2-10-64.)

1135.02 CONDITIONS UNDER WHICH CERTIFICATES REQUIRED.

A Zoning Certificate shall be required for any of the following:

- A. Construction or alteration of any building, including accessory buildings.
- B. Change in use of an existing building or accessory building to a use of a different classification.
- C. Occupancy and use of vacant land.
- D. Change in the use of land to a use of different classification.
- E. Any change in the use of a nonconforming use.
- F. Billboards, carports (free standing), carports, decks, signs, swimming pools and other permanent improvements.

(Ord. 59-87. Passed 10-19-87.)

1135.03 FILING PLANS.

The application for a Zoning Certificate shall be signed by the owner and applicant attesting to tell the truth and exactness of all information supplied on the application.

At a minimum, the application shall contain the following information:

- A. Name, address and phone number of applicant.
- B. Name of tenant and property owner if rental property. The property owner shall sign the application.
- C. Legal description of property.

- D. Existing use.
 - E. Propose use.
 - F. Zoning District.
 - G. Plans in triplicate drawn to scale, showing:
 - 1. Actual dimensions and the shape of the lot to be built upon;
 - 2. Exact size and location of existing buildings on the lot, if any;
 - 3. Location and dimensions of the proposed building(s) or alterations.
 - H. Buildings heights.
 - I. Number of off-street parking spaces or loading berths.
 - J. Number of dwelling units.
 - K. Such other matters as may be necessary to determine conformance with and provide for the enforcement of this Ordinance.
- (Ord. 5-97. Passed 2-4-97.)

1135.04 APPLICATION AND ISSUANCE OF CERTIFICATE.

- A. Written application for a Zoning Certificate, as required in Chapter 1135, shall be made at the same time as the application for a building permit,

If one is required, and

Shall be issued within ten (10) days after application has been received,

Provided the purpose conforms with this Zoning Ordinance.

- B. Within ten (10) days after the receipt of an application, the Zoning Administrator shall either approve or disapprove the application in conformance with the provisions of this Ordinance.
- C. All zoning certificates shall, however, be conditional upon the commencement of work within one (1) year.

- D. One copy of the plans shall be returned to the applicant by the Zoning Administrator after he/she shall have marked such copy either as approved or disapproved and attested to same by his or her signature on such copy.
- E. One (1) copy of plans, similarly marked, shall be retained by the Zoning Administrator.
- F. The Zoning Administrator shall issue a placard,

To be posted in a conspicuous place on the property in question,

Attesting to the fact that the use or alteration is in conformance with the provisions of this Ordinance.

- G. Under 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 Zoning Ordinance,

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 Zoning Ordinance.

- H. If the work described in any Zoning Certificate has not begun within one (1) year from the date of issuance thereof, said certificate shall expire;

And the Zoning Administrator shall provide written notice thereof to the person(s) affected.

- I. If the work described in any Zoning Certificate has not been substantially completed within two and one-half (2.5) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Administrator and

Written notice thereof shall be given to the person(s) affected,

Together with notice that further work as described in the cancelled Zoning Certificate shall not proceed

Unless and until a new Zoning Certificate has been obtained or extension granted.

J. Failure to obtain a Zoning Certificate shall be a violation of this Ordinance and punishable under Chapter 1133.99 "Penalty" of this Ordinance.

K. A Zoning Certificate

Issued on the basis of plans and applications approved by the Zoning Administrator

Authorizes only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, or arrangement, or construction.

L. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance, and punishable as provided in Chapter 1133.99 "Penalty" of this Ordinance.

M. Any person may file a written complaint, whenever a violation of this Ordinance occurs, or is alleged to have occurred.

Such complaint shall state fully the causes and basis thereof and shall be filed with the Zoning Administrator. He or she shall record properly such complaint, immediately investigate, and take action thereon as provided by this Ordinance.

(Ord. 5-97. Passed 2-4-97.)

1135.05 FEES.

The Village Council shall establish a schedule of fees, charges, and expenses and

A collection procedure for zoning certificates, appeals, and all other matters pertaining to this Ordinance.

The schedule of fees shall be posted in the office of the Zoning Administrator and may be altered or amended only through the Village Council.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

(Ord. 5-97. Passed 2-4-97.)