

RESOLUTION #07-13-21A

A RESOLUTION TO ESTABLISH AN ORIGINAL SCHEDULE OF FEES FOR ZONING CERTIFICATE APPLICATIONS, PERMITS, AND HEARINGS

WHEREAS, on November 3, 2020, and in accordance with *Ohio Revised Code §519.11*, the electors residing in a portion of the unincorporated area of Athens Township, Athens County, Ohio approved a zoning plan (herein after known as the *Athens Township Zoning Code* or *ATZC*) and by such approval directed the Athens Township Board of Trustees (herein after known as “the Board”) in the interest of the public convenience, comfort, prosperity, and general welfare to adopt by Resolution regulations for the location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas that may be occupied, set back building lines, sizes of yards, courts, and other open spaces, the density of population, the uses of buildings and other structures, including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in a portion of the unincorporated territory of the township, the location of, set back lines for, and the uses of buildings and other structures, including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in a portion of the unincorporated territory of the township, and reasonable landscaping standards and architectural standards, excluding exterior building materials, in a portion of the unincorporated territory of the township. Except as otherwise provided, in the interest of the public convenience, comfort, prosperity, and general welfare, the Board also adopted, in accordance with a comprehensive plan, for nonresidential property only, the height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas that may be occupied, sizes of yards, courts, and other open spaces, and the density of population in a portion of the unincorporated territory of the township; and

WHEREAS, *ATZC §10.01 (5)* allows the Board to charge a fee for each zoning certificate or copy issued; and

WHEREAS, *ATZC §9.03 (2) (b)* allows the Board to require a person making an appeal to the Board of Zoning Appeals to pay a fee to defray the cost of advertising, mailing, and other expenses; and

WHEREAS, *ATZC §11.05* states that each application for conditional use submitted to the Board of Zoning Appeals shall be accompanied by a fee as established by the Board; and

WHEREAS, *ATZC §12.05* states that the Board shall establish a fee to be paid upon filing an application for variance with the Board of Zoning Appeals; and

WHEREAS, *ATZC §13.02 (1)* states that the Board may require that the owner or lessee of property filing an application to amend the zoning code pay a fee to defray the cost of advertising, mailing, filing with the county recorder, and other expenses; and

WHEREAS, *Ohio Revised Code §519.12* allows the Board to require that the owner or lessee of property filing an application to amend the zoning resolution pay a fee to defray the cost of advertising, mailing, filing with the county recorder, and other expenses.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees, Athens Township, Athens County, Ohio as follows:

SECTION 1: The Board hereby adopts a schedule of fees for zoning certificates, permits, and hearings determined to be reasonable for the administration of the zoning code as adopted by the majority of electors on November 3, 2020, known as “EXHIBIT A”, attached hereto and incorporated herein by reference.

SECTION 2: It is found and determined that all formal actions of the Athens Township Board of Trustees Board of Trustees, Athens County, Ohio concerning and relating to the formation and adoption of this Resolution were discussed and voted upon by the Board in open public meetings and in compliance with all legal requirements, including *Ohio Revised Code §121.22*.

Motion: _____

Second: _____

Aye:

Nay:

Mr. Linscott: _____

Mr. Pierson: _____

Mr. Baker: _____

Attest: _____

Brenda Cox, Fiscal Officer

This Resolution shall take effect at the earliest date provided by law. Duly resolved by the Athens Township Board of Trustees this 27th day of July, 2021.

Ted Linscott, Chair, Athens Township Board of Trustees