

**CHAPTER 530
Board of Zoning Appeals**

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SECTION 530.01 ESTABLISHMENT OF BOARD.

In accordance with ORC 519.13, the Board of Zoning Appeals of Rootstown Township is hereby created and shall have all the powers and duties prescribed by law and by this resolution.

SECTION 530.02 COMPOSITION AND APPOINTMENT. *(Amended 2/13/2018)*

The Board shall consist of five (5) members appointed by the Township Trustees. The members shall be residents of the unincorporated portion of Rootstown Township. The terms of members shall be for five years and shall be so arranged that the term of one member expires each year. Each member shall serve until a successor is appointed and qualified. Members shall be removable for the same causes and in the same manner as provided in Section 519.04 of the ORC. Vacancies shall be filled by appointment of the Board of Township Trustees and shall be for the unexpired term.

SECTION 530.03 QUORUM.

Three (3) members of the Board shall constitute a quorum at all meetings. A vote of 3 shall be necessary to affect an order, take action, make decisions, or act on any authorization.

SECTION 530.04 MEETINGS.

The Board of Zoning Appeals shall adopt rules and procedures not in conflict with the provisions of this Resolution as may be necessary to put into effect the powers and jurisdiction conferred herein. The Board shall elect a chairperson from its membership. The Township Trustees shall appoint a Recording Secretary. Meetings of the Board shall be held at the call of the chairperson, and at such other times as the Board may determine. All meetings of the Board shall be open to the public.

SECTION 530.05 WITNESSES.

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The Board Chairperson, or in the Chairperson's absence the acting Chairperson, may administer oaths, and the Board may compel the attendance of witnesses in all matters coming within the purview of the board.

SECTION 530.06 PROCEEDINGS.

The Board shall keep minutes of its proceedings including a record of the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall, upon approval of the minutes, be immediately filed in the office of the Township Trustees and shall be a public record. The Board of Zoning Appeals may, within the limits of the moneys appropriated by the Trustees for the purpose, employ such executive, professional, technical, and other assistants as it deems necessary.

SECTION 530.07 POWERS AND DUTIES.

The Board of Zoning Appeals shall have the following powers:

- A. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution.
- B. To authorize, upon appeal, in specific cases, such variance from the terms of the Zoning Resolution as will not be contrary to the public interest, so that the spirit of this Resolution shall be observed, and substantial justice done.
- C. To grant Conditional Zoning Certificates for the use of the land, buildings, or other structures as specifically provided for elsewhere in this Resolution and review such plans as specifically provided in this Resolution.
- D. To revoke an authorized variance or conditional zoning certificate granted for the extraction of minerals, if any condition of the variance or certificate is violated, as provided in Sections 470, 630.10 and 680.
- E. To authorize, upon appeal, a change in nonconforming use.

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- F. To resolve any disputes with respect to the precise location of a zoning district boundary.