

Appeals Hearing Procedure

The City of Milford, Ohio Planning & Zoning Department

The City of Milford, Ohio, Board of Zoning Appeals

6. MOTION TO RECOMMEND APPROVAL, APPROVAL WITH CONDITIONS, DISAPPROVAL OR TABLE. Board members must verbally make a motion. If the motion is seconded, a voice note is taken.
7. APPEAL OF A BOARD DECISION. Any person adversely affected by a decision of the Board of Zoning Appeals may appeal to the Court of Common Pleas of Clermont or Hamilton County on the grounds that the decision was unreasonable or unlawful. The court may affirm, reverse, vacate or modify the decision complained of in the appeal.

Hearing Guidelines

1. The Board of Zoning Appeals may, by motion and vote, limit the time allowed to each speaker. In such a case, the Secretary would act as timekeeper. Those wishing to testify will be asked to give their name and address for the record.
2. If possible or applicable, all written materials (letters, petitions) should be submitted prior to the hearing. An extra copy of all written materials should be provided so that it may be placed in the record.
3. All comments and questions should be addressed to the Board and not directed to proponents or opponents in the audience.
4. The Board wants to hear all comments.

Pam Holbrook, Assistant City Manager

Steve Wyan, Zoning Inspector

Pam Curry, Secretary

Mailing Address

Planning & Zoning Department
City of Milford Municipal Building
745 Center Street, Suite 200
Milford, Ohio 45150

Phone Number

(513) 248-5093

Fax Number

(513) 248-5096

Office Hours

8:30 a.m. to 4:30 p.m.

World Wide Web Address

www.milfordohio.org



City of Milford Municipal Building
745 Center Street
Milford, Ohio 45150

City of Milford Board of Zoning Appeals

Members

David Hunter, Chair, Council Representative
Geoffrey Pittman
Dana Lindley
Vanessa Hannah

Role & Responsibility

The role of the Board of Zoning Appeals is to hold public hearings to take testimony and decide on appeals of decisions by the Zoning Inspector or Planning Commission. The Board of Zoning Appeals' powers and duties include, but are not restricted to, the following items:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination by an administrative official in the enforcement of the Zoning Ordinance.
2. To authorize, on appeal, variances.
3. To interpret the provisions of the Zoning Ordinance.
4. To permit the extension and/or substitution of a non-conforming use .
5. To permit the temporary use of a structure or premises in any district for a purpose or use that does not conform to the regulations prescribed elsewhere in the Zoning Ordinance for the district in which it is located.
6. Such other duties as may be necessary for the administration of the provisions of the Zoning Ordinance.

City of Milford Board of Zoning Appeals

Meetings

The City of Milford Board of Zoning Appeals holds its regular meetings on the fourth Thursday of every month at 7:00 p.m. in Council Chambers, on the First Floor of the City of Milford Municipal Building, 745 Center Street, Milford, Ohio. All meetings are open to the public.

Hearing Procedure

1. Call to Order.
2. Role Call of Board of Zoning Appeals Members.
3. Approval of Minutes from Previous Meeting.
4. Old Business. The Board will discuss any cases which were continued from the previous meeting.
5. New Business. The Board will discuss all new cases for which applications were submitted.
6. Adjourn.

Appeals Hearing Procedure

1. STAFF COMMENTS AND RECOMMENDATIONS. The Planning & Zoning staff give the Board of Zoning Appeals their recommendation regarding the request. The staff comments may contain information concerning availability of utilities such as water and sewer services, traffic and access issues, environmental factors and characteristics of the surrounding neighborhood. The staff comments may also contain a list of conditions it feels the Board should consider placing on an applicant's request so that the request, if approved, will not negatively impact the health and safety of the residents and to ensure compatibility with the surrounding neighborhood.
2. APPLICANT PRESENTATION. The applicant comes before the Board of Zoning Appeals to explain their request. The applicant may provide pictures, letters, drawings and maps as well as testimony from attorneys, architects, engineers or planners involved with the request.
3. TESTIMONY IN FAVOR OF THE REQUEST. The Board of Zoning Appeals takes testimony from anyone in the audience who wishes to speak in favor of the request.
4. TESTIMONY AGAINST THE REQUEST. The Board of Zoning Appeals takes testimony from anyone in the audience who wishes to speak in opposition to the request.
5. CALL TO ENTERTAIN A MOTION. After discussion and deliberation, the Board of Zoning Appeals chairperson invites the Board to make a motion on the request.