

**SECTION 750
Amendments**

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750.1 AUTHORITY FOR AMENDMENTS.

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Township Trustees may amend, revise, rearrange, renumber or recodify this Zoning Resolution or amend, supplement, change or repeal the boundaries or classification of property according to the procedures set forth in Section 519.12 of the Ohio Revised Code and summarized herein.

750.2 INITIATION OF ZONING AMENDMENTS.

Amendments to the Zoning Resolution may be initiated in one of the following ways:

- A. By motion of the Township Zoning Commission;
- B. By the passage of a resolution by the Township Trustees which shall be certified to the Zoning Commission for commencement of the Commission's review; or
- C. By the filing of an application with the Zoning Commission by one or more of the owners or lessees of property or developer with an option to purchase such property within the area proposed to be changed or affected by the proposed Amendment.

750.3 AMENDMENTS INITIATED BY PROPERTY OWNER(S).

A zoning amendment initiated by at least one owner or lessee of property or developer with an option to purchase such property within the area proposed to be changed or affected by said amendment shall be submitted and reviewed according to the following:

- A. Discussion with Zoning Commission. Prior to submitting an application for an amendment to the Zoning Resolution text or map, the applicant may appear before the Zoning Commission to informally discuss the proposed amendment. However, no action shall be taken at such a meeting and no discussions, opinion, suggestions, or recommendations of the Zoning

Commission shall be relied upon by the applicant to indicate subsequent approval or disapproval by the Zoning Commission.

B. Application Requirements. Applications for proposed amendments shall be submitted to the Zoning Administrator and shall contain at least the following information, unless otherwise instructed by the Zoning Commission during the preliminary discussion in Section 750.3A.

1. The name, address and phone number of the applicant and the property owner if other than the applicant;
2. A statement of the reason(s) for the proposed amendment;
3. A statement indicating the ways in which the proposed amendment relates to the Springfield Township Comprehensive Land Use Plan;
4. The payment of the application fee as established by the Trustees.
5. Amendments to the Zoning Map adopted as part of this Zoning Resolution shall contain the following additional information:
 - a) An accurate legal description of the parcel(s) to be rezoned, drawn by a registered surveyor;
 - b) Present use and zoning district, and the proposed use and zoning district;
 - c) A vicinity map at a scale approved by the Zoning Administrator showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Administrator may require;
 - d) Existing topography at two foot contour intervals of the property to be rezoned and extending at least 500 feet outside the proposed site, and including property lines, easements, street rights-of-ways, existing structures, trees and landscaping features existing thereon;
 - e) The last known names and addresses of the owners of all properties within and contiguous to and directly across the street from the property on which the zoning map amendment is requested, including any property in an adjoining community, as shown upon the County Fiscal Officer's current tax list.

C. Referral to Zoning Commission. After the filing of an application by an owner, lessee of property or developer with an option to purchase such property, the Zoning Administrator shall transmit the application to the Zoning Commission for its consideration and recommendation.

D. Review by County Planning Commission. Within five (5) days after the application is transmitted to the Zoning Commission from the Zoning Administrator, the Secretary of the Zoning Commission shall transmit a copy of the application to the County Planning Commission. The County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such

recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment.

- E. Public Hearing and Notice by Zoning Commission. The Zoning Commission shall set a date for a public hearing thereon, which date shall not be less than 20 nor more than 40 days from the date of the filing of the application. Notice of such hearing shall be given by the Zoning Commission by publication in one or more newspapers of general circulation in the Township at least 10 days prior to the date of the hearing. The published notice shall include the time and place of the public hearing, a summary of the proposed amendment and a statement that opportunity to be heard will be afforded to any person interested.
- F. Notice to Property Owners. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the County Fiscal Officer's current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least 10 days before the day of the public hearing to owners of all properties within and contiguous to and directly across the street from the property proposed to be rezoned or redistricted, to the names and addresses of owners as shown upon the records of Summit County, or the list of property owners furnished by the applicant. The notice shall contain the same information as required of notices published in newspapers as specified in Section 750.3E. Failure of delivery of such notice shall not invalidate any such amendment.
- G. Recommendation by Zoning Commission. The Zoning Commission shall, within 30 days after the close of such public hearing, recommend one of the following:
 - 1. That the amendment be approved as requested;
 - 2. That the amendment be approved as modified by the Zoning Commission as the Commission may deem reasonable or necessary; or
 - 3. That the amendment be denied.
- H. Transmittal to Trustees. The Secretary of the Zoning Commission shall forthwith submit to the Trustees the recommendation of the Summit County Planning Commission and either the recommendation of the Zoning Commission or the fact that the Zoning Commission has not made a recommendation on such application within its allotted time period.
- I. Public Hearing and Notice by Trustees. Upon receipt of the recommendation from the Zoning Commission, the Trustees shall set a time for a public hearing on the proposed amendment, which date shall not be more than 30 days from the date of the receipt of such recommendation from the Zoning Commission. Notice of the public hearing shall be given by the Trustees through one publication in one or more newspapers of general circulation in the Township at least 10 days before the date of the required hearing. The published notice shall include the time and place of the public hearing, a summary of the proposed amendment, and a statement that the opportunity to be heard will be afforded to any person interested. During such 10 days, the text of the proposed amendment, the maps or plans, if applicable, and the

recommendations of the Zoning Commission shall be on file for public examination in the office of the Township Clerk or in such other office as is designated by the Trustees.

J. Action by Trustees. Within 20 days after the public hearing required by Section 750.3I, the Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof.

1. In the event the Trustees adopt the recommendation of the Zoning Commission, concurrence by a majority of the Trustees shall be required.
2. In the event the Trustees elect to overrule or substantially modify the recommendation of the Zoning Commission, the unanimous vote of all three Trustees shall be required. Wherein the Trustees fail to obtain a unanimous vote, the recommendation of the Commission shall be considered as approved.

K. Effective Date of Amendment. Amendments adopted by the Trustees shall become effective in 30 days after the date of adoption unless, within 30 days after the adoption of the amendment, there is presented to the Trustees a petition requesting the Trustees to submit the amendment to the electors of such area for approval or rejection according to the following:

1. The petition shall be signed by a number of registered electors residing in the Township equal to not less than eight percent of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected.
2. Each part of this petition shall contain the number and the full and correct title, if any, of the zoning amendment resolution, motion, or application, furnishing the name by which the amendment is known and a brief summary of its contents.
3. In addition to meeting the requirements of this Section, each petition shall be governed by the rules specified in Section 3501.38 of the Ohio Revised Code.

750.4 AMENDMENTS INITIATED BY THE ZONING COMMISSION.

The Zoning Commission on its own initiative may, by the passage of a motion, initiate amendments to the Zoning Resolution and Zoning Map. The Zoning Commission and Township Trustees shall follow the procedures for review and hearing of the proposed amendment as set forth in Sections 750.3D through 750.3K, inclusive.

750.5 AMENDMENTS INITIATED BY TOWNSHIP TRUSTEES.

Amendments to the Zoning Resolution or Zoning Map initiated by the passage of a resolution by the Trustees shall comply with the following:

- A. Referral to Zoning Commission. After Trustees adopt a resolution to initiate an amendment, the resolution shall be certified to the Zoning Commission for its consideration and recommendation. The Zoning Commission shall follow the procedures for review and hearing of the proposed amendment as set forth in Section 750.3D through 750.3G, inclusive.
- B. Review and Action by the Trustees. The Trustees shall follow the procedures for review and hearing of the proposed amendment as set forth in Sections 750.3H through 750.3K, inclusive.

750.6 GUIDELINES WHEN CONSIDERING AMENDMENTS TO THE ZONING MAP.

In evaluating proposed amendments to the zoning map, the Zoning Commission and Trustees may consider any or all of the following:

- A. Conformance with the Springfield Township Comprehensive Land Use Plan.
- B. The desirability of such uses in the area and/or on the site proposed for such zoning district;
- C. The need for and availability of centralized water and sewer facilities compared to the capacity of the existing facilities and plans for future extensions;
- D. Any other substantive factor deemed appropriate by the Zoning Commission or Trustees.

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