

**GENERAL INFORMATION**

Subject

- Request - Amendment to the Monclova Township Zoning Resolution to modify Conditional Uses, Supplemental Regulations, and public notification in multiple sections
- Location - Monclova Township
- Applicant - Monclova Township Zoning Commission

**STAFF ANALYSIS**

The Monclova Township Zoning Commission requests an amendment to the Monclova Township Zoning Resolution to modify Conditional Uses, Supplemental Regulations, and public notification in two sections. The proposal for Conditional Uses in Section 8.5 is clarifying the Board of Zoning Appeals may require additional information. No additional changes requested.

The proposal for Section 9 Supplemental Uses includes two new sections, Auxiliary Electric Generators and Joint Economic Development Zone (JEDZ). The auxiliary electric generators are to provide supplemental electric power generating systems to existing and future uses in all zoning districts, and guidelines for installation. The Joint Economic Development Zone (JEDZ) clarifies excluded uses that pertain to unattended self-service, robotic, or passive commercial establishments. Permitted uses that require retail sale of goods with in-person assistance in a permanent brick structure with a said number of employees shall be included in the JEDZ.

The proposal for Sections 15 and 16 pertains to public hearing and notice for the Zoning Commission, Township Trustees, and the Board of Zoning Appeals. Monclova Township would like to update the public notice requirements reflective of House Bill 315. House Bill 315 was a bill that was passed into law on January 2<sup>nd</sup>, 2025 and became effective on April 3, 2025 that allows townships to publish various required public notices online or on social media instead of newspapers. Under the bill, the township will decrease public notice costs in certain circumstances.

The modifications submitted are similar to other townships with the exception of the Auxiliary Electric Generators as this is a new use being added. Staff supports the townships request and the amendment is shown in EXHIBIT “A.”

**STAFF RECOMMENDATION**

The staff recommends that the Lucas County Planning Commission recommend an approval of the proposed amendment to the Monclova Township Zoning Resolution shown in EXHIBIT "A" to the Monclova Township Zoning Commission and Township Trustees.

TEXT AMENDMENT  
MONCLOVA TOWNSHIP  
LUCAS COUNTY PLANNING  
COMMISSION  
REF: Z17-C390  
DATE: April 22, 2026  
TIME: 9:00 A.M.

MLM/KB  
EXHIBIT "A" follows

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

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**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 8  
CONDITIONAL USES**

**SECTION 8.1      PURPOSE**

In addition to those uses specifically permitted in each Zoning District, there are certain uses that are necessary for the good of the public, but due to the potential impact on the community, require additional review and consideration.

**SECTION 8.2      STANDARDS**

The Board of Zoning Appeals shall review each proposed Conditional Use and shall consider the following:

- A.     The proposal will be in accordance with the general objectives, or with any specific objectives of the Monclova Township Contemporary Land Use Plan;
- B.     The proposal is harmonious with the existing or intended character of the general vicinity of the lot and will not change the essential character of the area;
- C.     The proposal will not be hazardous or disturbing to existing or future neighboring uses;
- D.     The proposal will be served adequately by essential public facilities and services;
- E.     The proposal will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, vibration or odors.

**SECTION 8.3      PROCEDURE**

A Conditional Use may be requested by the lot owner or their authorized agent. The procedure set forth in Section 16 – Board of Zoning Appeals shall be complied with.

**SECTION 8.4      REQUIREMENTS**

All Conditional Uses shall comply with the requirements of the underlying zoning district in which the proposed Conditional Use is located, and the standards of Section 8.2.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 8.5**      **CONDITIONS OF APPROVAL**

In granting any Conditional Use, the Board of Zoning Appeals ~~may require the following items,~~ ***include and is not limited to require the following items (where permitted)*** to protect the general health, safety and welfare (~~where permitted~~) of the community:

- A. Increased landscaping requirements.
- B. Screening between proposed Conditional Use and adjacent property and/or roadway.

**SECTION 8.5**      **CONDITIONS OF APPROVAL** (cont'd)

- C. The location of parking areas.
- D. Hours and/or days of operation.
- E. Lighting locations, source, intensity, and areas to be illuminated.
- D. Hours and/or days of operation.
- E. Lighting locations, source, intensity, and areas to be illuminated.

**SECTION 8.6**      **EXPIRATION OR REVOCATION OF CONDITIONAL USE**

A Conditional Use shall expire if the permitted activity has not commenced within one (1) year from the date on which the Conditional Use was granted by the Board of Zoning Appeals, or any permitted construction is not started within one year, or if for any reason the use shall cease for more than a two (2) year continuous period. An extension of this time limit may be approved by the Board of Zoning Appeals. Violation of any condition(s) of approval shall be cause for the revocation of the Conditional Use by the Board of Zoning Appeals.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.39 *AUXILIARY ELECTRIC GENERATORS***

**A. *DEFINITION***

*Auxiliary electric generators are permanently installed independent, secondary or supplemental electric power generating systems, using internal combustion engines designed to provide electrical power to operate the essential systems of a structure or other facility during a municipal power outage.*

**B. *WHERE PERMITTED***

*Auxiliary electric generators are permitted in all zoning districts.*

**C. *GENERAL REQUIREMENTS***

*Auxiliary electric generators are generally required to use only natural gas or propane for fuel. Use of diesel fuel, jet A, gasoline, kerosine, alcohol, hydrogen or any other fuel type must be approved by the Board of Zoning Appeals.*

*All auxiliary electric generators must comply with the Monclova Township noise resolution.*

*Generator units may be required to be located within a free-standing enclosure designed for noise reduction at the discretion of the Zoning Administrator.*

*Portable or mobile auxiliary generators are not permitted except for emergency purposes.*

*Direct connection of permanently installed auxiliary generators to the electrical system of a structure or facility is required and must be in accordance with all applicable electrical codes, regulations and standards.*

*Testing of auxiliary generators shall occur during normal business hours, with 24 hours' notice to the Zoning Administrator.*

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**D. COMMERCIAL/INDUSTRIAL/MULTI-FAMILY USES**

*Generating units must be located 300 feet or more from the nearest lot line with an adjoining residential district or property.*

*Alternatively, the generator may be placed on the opposite side of an enclosed structure from the residential district or property.*

*Other placement may be approved by the Board of Zoning Appeals.*

**SECTION 9.39 AUXILIARY ELECTRIC GENERATORS (cont'd)**

**E. RESIDENTIAL USES**

*Generating units must be located 20 feet or more from the nearest lot line with an adjoining residential property.*

*Other placement may be approved by the Board of Zoning Appeals.*

**SECTION 9.40 Joint Economic Development Zone (JEDZ)**

*Permitted Uses in the JEDZ (The Toledo, Maumee, and Monclova Joint Economic Development Zone) Permitted uses require a permanent, brick-and-mortar structure with a minimum of [number] on-site employees during operating hours.*

*Excluded Uses in the JEDZ District. Automated, unattended self-service kiosks, micro-markets, or robotic, passive commercial establishments, where the primary purpose is the retail sale of goods without on-site, in-person assistance, are prohibited in this district.*

**Terminology:**

- *"Unattended": Focuses on the lack of supervision.*
- *"Self-service": Focuses on the lack of direct service.*
- *"Active attendant required": Specifies that a person must be present.*
- *"On-site staffing": Ensures the business cannot be run remotely.*
- *"No-impact use": Emphasizes the lack of active business interaction.*
- *Micro markets are unstaffed, self-service retail kiosks located in workplaces, lobbies, and break rooms that replace or supplement traditional vending machines.*

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

***"Unmanned/Automated Service Facility" shall mean any vending machine, automated kiosk, automated teller machine (ATM), robotic service unit, or micro-market that operates without at least 5 human employees or attendants present on-site to assist customers during all operating hours.***

***Any commercial operation that relies primarily on artificial intelligence or automated systems to complete transactions without on-site human staff.***

***"Passive Commercial Enterprise" shall mean any commercial activity where the sale of goods or services is conducted exclusively through automated or self-service, with no active, direct, in-person engagement by employees or agents of the business operator.***

***Examples include but are not limited to car/truck washes, laundromats, storage or warehousing, solar or wind-turbine energy array, automate fuel or powering stations. Notwithstanding the foregoing, any such properties within the JEDZ shall be subject to the provisions of the zoning resolution.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 15**

**ZONING CHANGES AND TEXT AMENDMENTS**

**SECTION 15.1**      **AUTHORITY**

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Township Trustees may, by resolution, after receipt of recommendation thereon from the Zoning Commission and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property, now or hereafter established by this Resolution.

**SECTION 15.2**      **PROCEDURES**

**A.      Initiation of Zoning Amendments**

Amendments to this resolution may be initiated in one of the following ways:

1.      By adoption of a motion by the Zoning Commission;
2.      By adoption of a resolution by the Township Trustees;
3.      By the filing of an application by at least one (1) owner of said property proposed to be changed or affected by said amendment.

**B.      Application**

1.      The application for amendment or district changes shall be made on forms prescribed by, and obtainable at the Office of the Zoning Administrator. This application shall be accompanied by information or data indicating the necessity for, or desirability of, the change requested.
2.      Applications for a zoning amendment, or revisions to a previously submitted application, must be submitted to the Zoning Administrator ten (10) business days prior to the Zoning Commission's regularly scheduled meeting. The application must be full and complete, per the regulations and standards as set forth in the Monclova Township Zoning Resolution, at the time of submission.  
(Revised 9/1/05 - Z17-C280)

**C.      Fees**

A fee shall be paid upon the filing of the application in accordance with the fee schedule established by the Board of Township Trustees and available in the Office of the Zoning Administrator. All additional expenses incurred by the Township in excess of the minimum required fee shall be paid by the applicant. No action shall be taken on an application until all fees have been paid in full.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 15.2      PROCEDURES (cont'd)**

**D.      Transmittal to Zoning Commission**

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner of the property, said resolution or application shall be transmitted to the Zoning Commission.

The date that the Zoning Commission accepts the said resolution or application shall constitute the official filing date. All time limits shall commence from said filing date. The Zoning Commission shall record, in the official minutes, actions taken on all resolutions and applications submitted to them for review (i.e. submitted to Lucas County Planning Commission for review, notification of incomplete application, have requested further information from applicant.)

**E.      Public Hearing and Notice by Zoning Commission**

The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application for a zoning amendment. Said hearing shall be not less than 20 nor more than 40 days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application. Notice of such hearings shall be given as follows:

1.      A notice of such hearing shall be given by the Zoning Commission by ~~at least one (1) publication in one (1) or more newspapers of general circulation of the Township at least 10 days before the date of said hearing.~~ ***one of the following methods per ORC. 519.06 as amended and which became effective April 3, 2025:***
  - a. At least one (1) publication in one (1) or more newspapers of general circulation of the Township at least 10 days before the date of said hearing;***
  - or***
  - b. On the official state public notice website (ohiopublicnotices.com); or***
  - c. On the township's own official website and its social media accounts.***

This **Said** notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 15.2 PROCEDURES (cont'd)**

2. If the proposed amendment intends to rezone or redistrict 10 or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least 10 days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare from such areas proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of

Township Trustees. The failure to deliver the notice shall not invalidate any such amendment. The notice shall contain the same information as required on notices published in the newspaper(s).

**F. Submission to the Lucas County Planning Commission**

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map(s) pertaining to the case in question to the Lucas County Planning Commission. The Lucas 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.

**G. Recommendation by Zoning Commission**

Within 30 days after the scheduled public hearing, the Zoning Commission shall recommend to the Board of Township Trustees that 1) the amendment be granted as requested; 2) it may recommend a modification of the amendment requested; or 3) it may recommend that the amendment not be granted.

The Commission shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Commission, and shall be a public record.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 15.2 PROCEDURES (cont'd)**

**H. Public Hearing and Notice by Township Trustees**

Within 30 days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such hearing shall be given by the Township Trustees by ~~at least one (1) publication in one (1) or more newspapers of general circulation of the Township at least 10 days before the date of said hearing.~~ This notice shall set forth the time and place of the public hearing and the nature of the proposed amendment ***one of the following methods per ORD 519.06:***

- 1. One (1) publication in one (1) or more newspapers of general circulation of the Township at least ten (10) days before the date of said hearing; or***
- 2. On the official state public notice website (ohiopublicnotices.com); or***
- 3. On the township's own official website and its social media accounts.***

***Said notice shall set forth the time and place of the public hearing and the nature of the proposed amendment.***

**I. Action by Board of Township Trustees**

Within 20 days after the public hearing, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Township Trustees deny or modify the recommendation of the Zoning Commission, a majority vote of the Board of Trustees shall be required.

**SECTION 15.3 EFFECTIVE DATE AND REFERENDUM**

The proposed amendment, if adopted by the Board of Township Trustees, shall become effective in thirty days after the date of its adoption, unless, within thirty days after the adoption, there is presented to the Board a petition, pursuant to and in accordance with Ohio Revised Code Section 519.12.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**BOARD OF ZONING APPEALS**

**SECTION 16.1      GENERAL**

The Board of Zoning Appeals is hereby established by this Resolution and shall serve the purpose to hear and decide on appeals of a lawfully executed order by any administrative official in the enforcement of this Resolution. The Board shall consider and make a determination on request for variances from the terms and conditions of this resolution and consider appeals for exception for the use of land, buildings or other structures as applicable under the requirements and conditions of this Resolution.

**SECTION 16.2      JURISDICTION**

The Board shall have appellate jurisdiction relative to appeals and variances and original jurisdiction relative to conditional uses as provided herein.

**A.      Appeals**

1.      The Board shall have the power to hear and decide where it is alleged there is an error in any order, requirement, decision or determination made by any administrative official in the enforcement of this Resolution.
  
2.      An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator shall certify to the Board of Zoning Appeals after the notice of appeal shall have been filed with it that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case, proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.
  
3.      The Board may, in conformity with the provisions of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its option ought to be made in the premises; and to that end, shall have all powers of the Zoning Administrator from whom the appeal is taken.

**B.      Exceptions**

In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances:

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 16.2**     **JURISDICTION** (cont'd)

**B. Exceptions** (cont'd)

**1. Interpretation**

Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying the made a part of this Resolution where the street layout actually on the ground varies from the street layout as shown on the map aforesaid.

**2. Replacement of Nonconforming Buildings**

Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than 60% of its fair market value where the Board fins some compelling necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use is not to continue a monopoly.

**3. Modification of Parking and Loading Space Requirements**

Permit the modification of the automobile parking space or loading space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements; or permit (a) the waiver of the requirement that automobile parking space be provided on same lot dwelling, if other suitable and convenient parking space is available within or without a building; or (b) the dual use of parking facilities (i.e. by stores during the day and theaters during the evening) provided there is no overlapping of use and the parking space requirements for each building or use are complied with during each period.

**4. Public Parking Areas Location**

Permit in the "A/R" or "R" Districts, public parking areas or storage garages adjacent to any existing or proposed use in the multiple dwelling, commercial or industrial districts.

**5. Use Impact Determinations**

Determine whether an industry should be permitted within an "M" Industrial District because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 16.2**

**JURISDICTION** (cont'd)

**B. Exceptions** (cont'd)

**6. Substitution of Nonconforming Uses**

The substitution of a nonconforming use existing at the time of enactment of this Resolution for another nonconforming use, if no structural alterations except those required by law or resolution are made; provided, however that in an "A/R" or "R" District, no change shall be authorized by the Board to any use which is not a permitted or conditional use in any "A/R" or "R" District, and in a "C" District no change shall be authorized to any use which is not a permitted or conditional use in any "C" District.

**7. Temporary Structures and Uses**

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 this Resolution for the district in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. A zoning certificate for such use shall be granted in the form of a temporary and revocable permit, for not more than a 12-month period in undeveloped sections of the Township and not more than six (6) months in developed sections, subject to such conditions as will safeguard the public health, safety, convenience and general welfare.

**C. Variances**

In hearing and deciding appeals, the Board shall have the power to authorize such variances from the provisions or requirements of this Resolution as will not be contrary to the public interest. In authorizing a variance, the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of this Resolution. On appeal where there is unnecessary hardship, the Board may grant a variance in the application of the provisions of the Zoning Resolution only if all of the following findings are made:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions generally created by the provisions of the Zoning Resolution in the neighborhood or district in which the property is located.
2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning resolution and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 16.2**      **JURISDICTION** (cont'd)

3. That such unnecessary hardship has not been created by the appellant
4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.
5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

**D. Nonconforming Uses - Extensions or Permit**

The Board shall have the authority to grant an extension or permit completion of a building devoted to a nonconforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became nonconforming, and where such extension is necessary and incidental to the existing use of such building; provided, however, that the floor areas of such extension shall not exceed in all 100% of the floor area of the existing building or buildings devoted to a nonconforming use.

- E.** The Board shall have the authority to review and decide on all Conditional Use applications in accordance with Section 8.

**SECTION 16.3**      **PROCEDURE**

Appeals, variances and exceptions which are granted by the Board of Zoning Appeals shall conform to the procedures and requirements of this Resolution.

**A. Application**

1. Application: All applications shall be in writing, shall be signed by the owner of the property involved or his duly authorized agent or attorney, shall specify the request and grounds thereof, and shall be filed in the office of the Zoning Administrator.
2. An appeal from any action, refusal or ruling of the Zoning Administrator shall be filed within 20 days after such action or refusal or the announcement of such ruling, by filing a written request in the office of the Zoning Administrator. Within five business days the Zoning Administrator shall transmit to the Secretary of the Board all the papers constituting the record upon which the action or ruling appealed from was taken.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 16.3**

**PROCEDURE** (cont'd)

**B. Review by Other Officials**

Upon consideration of an appeal, variance, or request for exceptions on the agenda of the Board of Zoning Appeal, the Board may request additional information or review of the appeal, variance, or request for exceptions prior to the issuance of a final decision. The Board may request additional information or review by other Township officials, County agencies, the Lucas County Planning Commission, or any other private or public person or agency as the Board deems appropriate. Said information or review shall be requested to be returned to the Board of Zoning Appeals within 45 days after the date the matter is first on the Board's agenda. If no response is received within 45 days, the board shall proceed without the additional information or review or grant an extension of time, not to exceed another 45 days. If a response is received, the Board shall consider the additional information or comments upon review at the hearing on the appeal, variance, or request for exceptions. The Board may continue the hearing from month to month until the additional information or comments upon review are available for consideration.

**C. Public Hearing and Notice**

The Board shall hold a hearing on each appeal, variance, or request for exceptions after at least a 10 days' notice, ~~both in writing to the parties in interest and by publishing one time in one (1) or more newspapers of general circulation in the Township, stating the date, time and place thereof.~~ ***stating the date, time and place thereof. both in writing to the parties in interest and by publishing by one of the following methods:***

- 1. One time in one (1) or more newspapers of general circulation in the Township,***
- 2. On the official state public notice website (ohiopublicnotices.com); or***
- 3. On the township's own official website and its social media accounts.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 16.3**

**PROCEDURE** (cont'd)

The Board shall issue a written decision and conclusions of fact on each appeal, variance, or request for exceptions, after the date the hearing is concluded. The approved minutes of the Board may serve as the written decision and conclusions of fact, or the Board in its sole discretion, may issue its written decision and conclusions of fact as documents separate from its minutes. After the conclusion of a hearing and the vote and announcement of a decision by the Board, the Zoning Administrator, in his sole discretion, may issue any necessary permits prior to the approval and issuance of the written decision and conclusions of fact by the Board. A copy of the written decision and conclusions of fact shall be transmitted to the applicant or appellant by the Board Secretary, by regular U.S. Mail posted within 3 business days following the action of the Board approving the said decision.

**D. Supplemental Conditions and Safeguards**

In granting any appeal, variances or an exception, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the use is granted, shall be deemed a violation of this Resolution and punishable under Section 14.

**E. Schedule of Fees, Charges, and Expenses**

The Board of Township Trustees shall, by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for appeals, variances, exceptions and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Administrator, and may be altered or amended only by the Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

**F. Record of Appeals, Variances, and Conditional Uses**

A public record of all appeals, variances, and exception applications and disposition thereof shall be kept on file in the office of the Zoning Administrator.

**G. Appeal of Board Decisions**

If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made within 10 days of the Board's written decision.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 16.3**

**PROCEDURE** (cont'd)

- H.** **The Board of Zoning Appeals has the power** to revoke a variance or exception for noncompliance. The Board shall notify the affected party of their intent to revoke by the mailing of a notification by certified mail. The affected party has the right to request a hearing within 30 days of the mailing of the notification, in which case the board shall notify the party of the time and place of the hearing. Revocation of a variance or an exception shall become effective 30 days after notice has been given, unless a hearing has been requested.