

CITY OF HURON
BOARD OF BUILDING AND ZONING APPEALS
RULES OF PROCEDURE

The following rules shall govern the meetings of the Board of Building and Zoning Appeals of the City of Huron as established pursuant to Section 7.02 of the City of Huron Charter:

SEC. 7.02. BOARD OF BUILDING AND ZONING APPEALS. There shall be a board of building and zoning appeals consisting of five members who shall be citizens who hold no other city office or employment, selected by the council one each year for overlapping terms of five years. The board shall adopt its own rules and elect its own officers annually. It shall have all the power and authority conferred upon boards of zoning appeals by state law and such other duties as may be imposed upon it by ordinance. Its members shall serve without compensation.

Officers of The Board

The Board shall have a Chairman, Vice-Chairman, and Secretary. Elections will be held annually pursuant to the Charter. The Chairman's term is recommended to be a period of three (3) consecutive years. If the Chairman decides he/she or can no longer serve in the capacity of the Chair, the annual election will provide the opportunity to elect a new Chair. The Vice-Chairman and the Secretary positions would be annual terms.

The Chairman shall preside over meetings. The Vice-Chairman shall serve in the absence of the Chairman. In the event both the Chairman and Vice-Chairman are absent, the Secretary shall preside. The Secretary shall execute the adopted minutes of the Board which will be prepared by Zoning Department staff.

Quorum and Authorization

Three members of the Board shall constitute a quorum. The Board shall act by making a motion, and a second, and the concurring vote of three members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Building Official or any other duly authorized administrative officer, or to decide in favor of an applicant in any matter on which it is required to pass under this Zoning Ordinance, of every such determination shall be stated. A member of the Board shall not be qualified to vote if he/she has not attended the relevant BZA meeting in person, the relevant public hearing in person, or if he has a direct or indirect interest in the issue appealed. (Planning & Zoning Code 1139.02 (c))

Meetings

All meetings shall be open to the public, except as otherwise permitted by law. Regular meetings shall be held on the second Monday of the month, excluding holidays. A calendar of the regular meetings shall be prepared prior to the beginning of each year and legally advertised as required. Regular meetings shall be held at 5:30 P.M., at the Huron City Hall, 417 Main Street, Huron, Ohio. Regular meetings may be cancelled due to a lack of agenda items, lack of quorum, staff and/or member scheduling conflicts, or other unforeseen circumstances. Members will be notified and cancellation/rescheduling posted as required.

Special meetings can be called at the discretion of the board. These meetings will be advertised as required. Only matters expressly advertised for the special meeting agenda shall be considered.

Work Session meetings may be scheduled as desired for the purposes of education, enrichment, and/or discussion of topics other than those of an application. No other business shall be conducted, nor shall any application be reviewed or decisions made. These meetings will be advertised as required.

Attendance

Board members shall attend all Board meetings. Board members unable to attend a meeting will notify Zoning staff and the Chair so that quorum can be verified for said meeting. If a board member is absent from three (3) or more consecutive regular meetings, excused or otherwise, or a total of five (5) absences in one calendar year, as determined by the Chair, the Board to recommend that Council consider the appointment of a replacement of the member for the remaining term period.

Conflict of Interest

Any member having a conflict of interest, direct or indirect, actual or perceived, shall announce at the beginning of the meeting and prior to the introduction to the appeal or request, the existence of said conflict. The member shall refrain from comment, discussion, or participation regarding the appeal or request, including voting thereon. If possible, such a member shall also notify the Zoning Department of a conflict of interest upon receipt of the meeting agenda in order to allow sufficient time to confirm that a quorum will exist.

Order of Business

The order of business at all regular meetings of the Board shall be as follows:

1. Call to Order
2. Roll Call
3. Adoption of the Minutes
4. Verification of Required Noticing
5. Swearing In of those Testifying before the Board
6. Old Business
7. New Business
8. Other Matters
9. Adjournment

The Chairman may alter the order of business as necessary to conduct an orderly and expedient proceeding.

Application

Applicants shall utilize the designated application form and submit same with all required documentation and fee to the Zoning Department by the deadline date. The Zoning Department will review and prepare the application for placement on the next Board agenda, preparing and mailing notices as required.

Hearing

All hearings before the Board shall be open to the public and all applicants and property owners within 150' of the applicant's property shall be provided notice of the hearing, pursuant to Section 1139.02 (e).

The hearing shall proceed as follows:

- Report and/or comments from staff
- Applicant testimony
- Interested persons testimony
- Cross -examination by parties in interest
- Opportunity for rebuttal and closing statements by applicant and other parties of interest
- Deliberation by the Board, which shall include "on the record" references to applicable standards, criteria, or factors under review and considered for each matter that is heard by the Board.

The Board may ask questions at any time.

Decision of the Board

Upon review of the documents, evidence, applicable standards, criteria, or factors under review, and arguments presented to the Board, any member, except for the Chair, may make a motion. The motion shall include not only the ultimate decision, but also a recitation of the findings (including but not limited to applicable standards, criteria, or factors under review) which support the motion. A second shall be required.

A certified copy of the Board's decision (Finding of Fact) shall be prepared by the Planning & Zoning Department and issued to the applicant within the week following the meeting.

Minutes and Records

The Board shall keep minutes of its proceedings and shall record the vote on all actions taken. The minutes shall be prepared by Planning & Zoning Staff, and executed by the BZA Secretary following adoption. All minutes and records shall be filed with the City, shall be a public record, and shall be retained pursuant to the city's state-approved retention schedule.

Amendments

Amendments to these Rules of Procedure may be made by the Board of Zoning Appeals at any regular or special meeting by action in the form a motion and vote.

These Rules of Procedure of the Board of Zoning Appeals are hereby approved by the affirmative vote of the majority of members of said Board at a meeting of the Board held on the 14th day of April, 2025.

City of Huron, Board of Building and Zoning Appeals, Huron, OH

SO APPROVED THIS 14th DAY OF April, 2025

Frank Kath

Frank Kath, Chairman

J. Boston

JoAnne Boston, Vice Chair

Scott Slocum

Scott Slocum

Thomas Harris

Chris Harlan

Chris Harlan