

APPENDIX A
COMPLETE TEXT OF SECTION 519.12
OF THE
OHIO REVISED CODE

519.12 Amendments to Zoning Resolution, Procedure, Referendum

- A. Amendments to the zoning Resolution may be initiated by motion of the township zoning commission, by the passage of a Resolution therefore by the board of township trustees, or by the filing of an application therefore by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment with the township zoning commission. The board of township trustees may require that the owner or lessee of property filing an application to amend the zoning Resolution pay a fee therefore to defray the cost of advertising, mailing, and other expenses. If the township trustees require such a fee, it shall be required generally, for each application. The board of township trustees shall upon the passage of such Resolution certify it to the township zoning commission.

Upon the adoption of such motion, or the certification of such Resolution or the filing of such application, the township zoning commission shall set a date for a public hearing thereon, which date shall not be less than twenty nor more than forty days from the date of the certification of such Resolution or the date of adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given by the township zoning commission by one publication in one or more newspapers of general circulation in the township at least ten (10) days before the date of such hearing.

- B. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall be mailed by the zoning commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the county auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.
- C. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published and mailed notices shall set forth the time, date and place of the public hearing, and shall include all of the following:

1. The name of the zoning commission that will be conducting the public hearing;
 2. A statement indicating that the motion, Resolution or application is an amendment to the zoning Resolution;
 3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and the names of owners of these properties, as they appear on the county auditor's current tax list;
 4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
 5. The time and place where the motion, Resolution or application proposing to amend the zoning Resolution will be available for examination for a period of at least ten (10) days prior to the public hearing;
 6. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
 7. Any other information requested by the zoning commission;
 8. A statement that after the conclusion of such hearing the matter will be submitted to the board of Township Trustees for its action.
- D. If the proposed amendment alters the text of the zoning Resolution, or rezones or redistricts more than ten parcels of land, as listed on the county auditor's current tax list, the published notice shall set forth the time, date and place of the public hearing, and shall include all of the following:
1. The names of the zoning commission that will be conducting the public hearing on the proposed amendment;
 2. A statement indicating that the motion, application or resolution is an amendment to the zoning Resolution;
 3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten (10) days prior to the public hearing;
 4. The name of the person responsible for giving notice of the public hearing by publication;
 5. A statement that after the conclusion of such hearing the matter will be submitted to the board of township trustees for its action;

6. Any other information requested by the zoning commission.
- E. Within five days after the adoption of such motion or the certification of such Resolution or the filing of such application the township zoning commission shall transmit a copy thereof together with text and map pertaining thereto to the county or regional planning commission, if there is such a commission.

The county or regional 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 township zoning commission. Such recommendation shall be considered at the public hearing held by the township zoning commission on such proposed amendment.

The township zoning commission shall, within thirty days after such hearing, recommend the approval or denial of the proposed amendment, or the approval of some modification thereof and submit such recommendation together with such application or Resolution, the text and map pertaining thereto and the recommendation of the county or regional planning commission thereon to the board of township trustees.

The board of township trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment, which date shall not be more than thirty days from the date of the receipt of such recommendation from the township zoning commission. Notice of such public hearing shall be given by the board by one publication in one or more newspapers of general circulation in the township, at least ten days before the date of such hearing.

- F. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date and place of the public hearing and shall include all of the following:
1. The name of the board that will be conducting the public hearing;
 2. A statement indication that the motion, application or resolution is an amendment to the zoning resolution;
 3. A list of the address of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the county auditor's current tax list;
 4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;

5. The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;
 6. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
 7. Any other information requested by the board.
- G. If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date and place of the public hearing, and shall include all of the following:
1. The name of the board that will be conducting the public hearing on the proposed amendment;
 2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
 3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
 4. The name of the person responsible for giving notice of the public hearing by publication;
 5. Any other information requested by the board.
- H. Within twenty days after such public hearing the board shall either adopt or deny the recommendations of the zoning commission or adopt some modification thereof. In the event the board denies or modifies the recommendation of the township zoning commission the unanimous vote of the board shall be required.

Such amendment adopted by the board shall become effective thirty days after the date of such adoption unless within thirty days after the adoption of the amendment there is presented to the board of township trustees a petition, signed by a number of registered electors residing in the unincorporated area of the township or part thereof included in the zoning plan 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, requesting the board of township trustees to submit the amendment to the electors of such area for approval or rejection at a special election to be held on the day of the next primary or general election. 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. In addition to meeting the requirements of this section, each petition shall be governed by the rules specified in section 3501.38 of the Revised Code.

The form of a petition calling for a zoning referendum and statement of the circulator shall be substantially as follows,

PETITION FOR ZONING REFERENDUM

(If the proposal is identified by a particular name or number, or both, these should be inserted here)_____.

A proposal to amend the zoning map of the unincorporated area of _____ Township, _____ County, Ohio adopted _____ (date) _____

(followed by brief summary of the proposal).

To the Board of Township Trustees of _____ Township, _____ County, Ohio:

We, the undersigned, being electors residing in the unincorporated area of _____ Township, included within the _____ Township Zoning Plan, equal to not less than eight percent of the total vote cast for all candidates for governor in the area at the preceding general election at which a governor was elected, request the Board of Township Trustees to submit this amendment of the zoning resolution to the electors of _____ Township residing within the unincorporated area of the township included in the _____ Township Zoning Resolution, for approval or rejection at a special election to be held on the day of the next primary or general election to be held on _____ (date) _____, pursuant to section 519.12 of the Revised Code.

Signature, Street Address, Township, Precinct, County, Date of signing or RFD

STATEMENT OF CIRCULATOR

(name of circulator)

declares under penalty of election falsification that he is an elector of the state of Ohio

and resides at the address appearing below his signature hereto; that he is the circulator of

the foregoing part petition containing _____ signatures;
(number of signatures)

that he witnessed the affixing of every signature;

that all signers were to the best of his knowledge and belief qualified to sign;

and that every signature is to the best of his knowledge and belief the signature of the person whose signature it purports to be.

(Signature of circulator)

(Address)

(City, Village/Township, Zip)
