

# CERTIFICATE OF NONCONFORMING USE

## (Form 4.02(I))

To be granted to owners of lots, uses of land, structures, uses of structures and land in combination which exist which were lawful before this Resolution became effective or any amendments thereto which so affect the above but which would be prohibited, regulated, or restricted under the terms of this Resolution. This certificate recognizes the legitimate interest of those who lawfully established these nonconformities by providing for their continuance, subject to regulations limiting their completion, restoration, reconstruction, extension and substitution.

1. Location of Nonconformity: \_\_\_\_\_

\_\_\_\_\_

2. Reason for Nonconformity: \_\_\_\_\_

\_\_\_\_\_

3. Zoning District of Nonconformity: \_\_\_\_\_

\_\_\_\_\_

4. Description and extent of Nonconformity including dimensions where applicable. Drawing with locations and dimensions of nonconformities must be attached.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Nonconformity Certificate Issued To: \_\_\_\_\_

Date of Issuance: \_\_\_\_\_

6. Acknowledgement of Nonconformities Stated in this Certificate

Owner at date of issuance: \_\_\_\_\_

Address and Phone No.: \_\_\_\_\_

\_\_\_\_\_

NOTE: One copy shall be retained by the Zoning Inspector.

**STATEMENT OF ALLEGED ZONING VIOLATION (COMPLAINT)**

**(Form 3.10(D))**

In accordance with Section 411 Complaints Regarding Violations of the Zoning Resolution this statement is voluntarily given to the Zoning Inspector this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, with the understanding that he may initiate legal proceedings in a court of competent jurisdiction charging \_\_\_\_\_ with violating the Zoning Resolution.

In the event such legal proceedings are initiated, I will appear to testify in court to the facts stated in the following statement.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Prior to \_\_\_\_\_, 19\_\_\_\_ I noticed that the above described property was being used for \_\_\_\_\_, and in my opinion this use is in violation of Section(s) \_\_\_\_\_ of the Prosecutor Township Zoning Resolution.

Describe below in detail the uses being made of the property; give exact dates and time where possible. Note any problems resulting from these actions of the alleged violator. \_\_\_\_\_

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# Application for Variance

(Form 3.08(A))

To the Board of Zoning Appeals, Prosecutor Township, Portage County, Ohio:

The undersigned owner or lessee of the land at \_\_\_\_\_  
\_\_\_\_\_, Prosecutor Township, Portage County, Ohio, hereby requests that this Board to  
grant the following variance upon the premises: \_\_\_\_\_

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Such variance is necessary for the preservation and enjoyment of a substantial property  
right because: \_\_\_\_\_

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The variance will not be materially detrimental to the public welfare nor to the property  
of other persons located in the vicinity thereof because: \_\_\_\_\_

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# Application For Zoning Certificate (permitted use)

(Form 3.03(A))

Application No. \_\_\_\_\_ Date \_\_\_\_\_, 19\_\_

(to be filed in triplicate with the Zoning Inspector)

To the Board of Trustees, Prosecutor Township, Portage County, Ohio:

Application is hereby made for a zoning certificate for a permitted use. It is understood and agreed by the applicant that any error, misstatement, or misrepresentation of fact or expression of fact in this application, either with or without intention on the part of the applicant, such as might, or would, operate to cause the issuance of a permit in accordance with this application, shall constitute sufficient ground for the revocation of the zoning certificate at any time.

Land Location:

Original Lot No. \_\_\_\_\_ PPN \_\_\_\_\_ Lot No. \_\_\_\_\_

Subdivision name (if applicable): \_\_\_\_\_

Deed (volume and page): \_\_\_\_\_ / \_\_\_\_\_

Landowner:

\_\_\_\_\_  
Name Phone

\_\_\_\_\_  
Address

Occupant:

\_\_\_\_\_  
Address Phone

\_\_\_\_\_  
Address

Class of work: New construction \_\_\_\_ Alteration \_\_\_\_ Addition \_\_\_\_ Relocation \_\_\_\_

Sign \_\_\_\_ x \_\_\_\_ Accessory Building \_\_\_\_ Building use \_\_\_\_\_

Families \_\_\_\_ Stories \_\_\_\_ Basement \_\_\_\_ Type of construction \_\_\_\_\_

\_\_\_\_\_

Usable floor space for use as living quarters exclusive of basements, porches, garages, breezeways, terraces, attics or partial stories. First floor \_\_\_\_\_ sq. ft. Second floor \_\_\_\_\_ sq. ft.

Off-street parking \_\_\_\_\_ sq. ft.

Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Main road frontage \_\_\_\_\_ ft. Zoning District \_\_\_\_\_

Setback from side road \_\_\_\_\_ ft. Rear yard clearance \_\_\_\_\_ ft. Side yard clearance: right \_\_\_\_\_ ft. left \_\_\_\_\_ ft.

Dimensions of building:

Length \_\_\_\_\_ ft. Width \_\_\_\_\_ ft. Highest point of building \_\_\_\_\_ ft. (above finished grade)

**Attach a plan-view drawing as described in Section 3.03(B)(2) of the Code, and the letters required in Section 3.03(B)(3).**

Applicant's signature \_\_\_\_\_  
(print name below signature)

For Use of Zoning Inspector

Fee \_\_\_\_\_ Date paid \_\_\_\_\_, 19\_\_ Date filed \_\_\_\_\_, 19\_\_

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Date \_\_\_\_\_, 19\_\_  
(action to be taken with 10 days of receipt)

\_\_\_\_\_  
Zoning Inspector

A copy of this application, when approved, constitutes the zoning certificate.

# Application For Zoning Change

(Form 6.02(B))

To the Prosecutor Township Zoning Commission, Portage County, Ohio:

The undersigned owners or lessees of land within this township, as shown or described on the attached exhibit, and being one or more of the owners or lessees of land within the area proposed to be changed or affected by this proposed amendment to the map or text, hereby petition that the Code be changed as follows: \_\_\_\_\_

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(use another page if you need more room)

The change is necessary for the preservation and enjoyment of a substantial property right because: \_\_\_\_\_

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The change will not be materially detrimental to the public welfare nor to the land of other persons located in the vicinity thereof because: \_\_\_\_\_

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Other supporting documents which accompany this petition are as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name, address and telephone number of attorney for applicant:

Name:	Address:	Phone:
_____	_____	_____
_____	_____	_____
_____	_____	_____

State of Ohio, Portage County

Sworn to and subscribed in my presence on \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary

For Use by the Commission

Application No. \_\_\_\_\_

County planning commission \_\_\_\_\_, 19\_\_ (5 days of receipt)

Hearing date \_\_\_\_\_, 19\_\_ (between 20-40 days of receipt)

Action taken \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Recommendation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prosecutor Township Zoning Commission:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

**Notice of Appeal of Denial of Zoning Certificate**

(Form 3.07(A))

(One copy of this form must be filed with the Zoning Inspector and one copy with the Board of Zoning Appeals within 20 days after the decision)

I hereby appeal to the Board of Zoning Appeals the refusal of a zoning certificate, or other action (specify) \_\_\_\_\_ by the Zoning Inspector for the reason that:

a) There was the following error in the decision: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b) A variance should be allowed in this case to avoid unnecessary hardship (see attached Variance Application).

\_\_\_\_\_  
Appellant

Date Notice of Appeal filed \_\_\_\_\_, 19\_\_

Date of Notice to parties in interest \_\_\_\_\_, 19\_\_

Date of Hearing \_\_\_\_\_, 19\_\_

Decision of Board of Zoning Appeals: reverse \_\_\_\_\_ affirm \_\_\_\_\_ modify \_\_\_\_\_

Explanation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach Order, if applicable)

Date of Decision of Board of Zoning Appeal \_\_\_\_\_, 19\_\_

Prosecutor Township Board of Zoning Appeals:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary



**Notice of Zoning Violation**

(Form 3.01(C)(3))

Date \_\_\_\_\_, 19\_\_

Dear \_\_\_\_\_  
(name)

\_\_\_\_\_  
\_\_\_\_\_  
(address)

Inspection of your premises at \_\_\_\_\_, Prosecutor  
Township, Portage County, has disclosed that the use of the premises is in violation of the  
Prosecutor Township Zoning Code in the following respect \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(state nature of violation with particular Code section(s))

You may appeal this decision under Section 3.07 of the Code.

You are hereby notified to discontinue such use by \_\_\_\_\_ 19  
\_\_\_\_\_, otherwise this matter will be referred to the Portage County Prosecutor for appropriate  
action.

Each day's continuation of this violation may be deemed a separate offense, for which a  
fine of up to \$100 per day may be assessed.

If you or your attorney has any questions regarding this violation, do not hesitate to call  
me at \_\_\_\_\_.

Very truly yours,

\_\_\_\_\_  
Zoning Inspector

C: Board of Prosecutor Township Trustees  
Portage County Prosecutor