North Canton City Council
Personnel and Safety Committee

Resolution No. 94 – 2014

A resolution transferring from North Canton City Council to North Canton's Zoning and Building Standard Board of Appeals ("ZBOA") a November 7, 2014, appeal of North Canton's Planning Commission's approval of a conditional use permit for the expansion of the Hoover District's south parking lot, PC403-14CU, and declaring the same to be an emergency.

WHEREAS, the City of North Canton's charter provides that it is the duty of the ZBOA to hear and decide appeals regarding, amongst other things, decisions of administrative agencies governing building and zoning within the municipality, and such other duties that Council may designate; and

WHEREAS, the Planning Commission is a City of North Canton administrative agency governing building and zoning within the municipality; and

WHEREAS, Council has determined that the ZBOA is the most appropriate agency to hear and decide the aforementioned appeal;

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That it is the duty of the ZBOA to hear and decide appeals regarding decisions of administrative agencies governing building and zoning within the municipality, and such other duties that Council may designate.

Section 2. That the Planning Commission is an administrative agency governing building and zoning within the municipality.

Section 3. That the ZBOA is North Canton's most appropriate agency to hear the appeal of the Planning Commission's approval of a conditional use permit for the expansion of the Hoover District's south parking lot, PC403-14CU.

Section 4. That City Council hereby transfers the abovementioned appeal to the ZBOA for it to hear and decide the appeal.

Section 5. That because the appeal was timely filed with the City, the ZBOA shall consider the appeal as timely filed.

Section 6. That the ZBOA shall set a schedule for a hearing on the matter allowing for proper notice of the proceedings.

Section 7. That if a provision of this resolution is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this resolution.

Section 8. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary to timely hear an appeal regarding a major construction project that has been stayed pending the decision of the appeal; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this resolution shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed by Council this 1st day of December, 2014

David Held, Mayor

Signed: 12/01, 2014

ATTEST:

Mary Beth Bailey, Clerk of Council