

PERMITS AND PROCEDURES

.. 154.040 ZONING CLEARANCE.

(A) It shall be unlawful to change the use of land or structures or to alter or erect structures until a zoning clearance is approved by and obtained from the Zoning Administrator.

(B) The Zoning Administrator shall review the application for the zoning clearance and approve it before the clearance is issued. When a building permit involving either change of use or change in building area is required, the application for zoning clearance shall be incorporated with the building permit and the Zoning Administrator shall approve the zoning clearance before such permit is issued. Where site plan review is required, the application for zoning clearance shall be incorporated into the application for site plan review, in which case the requirements for site plan review in this chapter shall apply. The intent of the zoning clearance is to ensure that land, structures and uses of land and structures are in conformity with the provisions of this chapter.

~~(1) Zoning clearance required. Certain uses authorized by this chapter may be either temporary or ongoing but with very low impact. These uses are indicated in Appendix A of this chapter by the letter "Z." For such uses to be authorized the Zoning Administrator must first issue a written zoning clearance. Such approval shall not run with the land and shall expire when the use ceases or at a date specified in the written approval, whichever comes first. The zoning clearance may be revoked at any time by written notification from the Zoning Administrator for failure to comply with this chapter or for failure to comply with any of the terms and conditions upon which the clearance approval was based.~~

(2) *Application for zoning clearance.*
An application for zoning clearance shall contain the following:

(a) Name, address, and phone number of the landowner and the applicant;

(b) Signature of the applicant attesting to the truth of all information required and contained therein, and attesting to the knowledge and consent of the landowner to file the application. If the landowner is not an applicant, the landowner must still provide written consent to the application;

(c) Zoning district(s);

(d) Two plans or sketches, drawn to scale, showing lot dimensions, location and size of existing and proposed structures and uses, yard dimensions, easements and street and highway rights-of-way;

(e) Such other information as may be required by the Zoning Administrator in order for him/her to determine conformity with this chapter.

(2) *Approval of zoning clearance.*
Within 30 days of receipt of the application, the Zoning Administrator shall approve or disapprove the application. One copy of the plan, sketch, or site plan shall be returned to the applicant along with the zoning clearance or a written denial and reasons for denial. Zoning clearances incorporated into building permits and/or site plan review approvals shall expire in the same manner and time frame as building permits and/or site plan approvals. If a zoning clearance is approved for a particular use of a property and that use changes, the new use is required to fully comply with this chapter.
(Ord. passed 10-21-2009)