

CITY OF ELYRIA, OHIO
PROCEDURES FOR THE REZONING OF LAND
REVISED JUNE 2004

The following guide is intended to assist those individuals approaching City Council with regard to a proposed rezoning of land. Procedures for the rezoning of land in Elyria are simply defined in the Codified Ordinances of the City of Elyria, Chapter 1133.

This guide is not a legal document in itself. It is intended to serve as a "layman's" guide of the various procedures that normally accompany zoning changes in Elyria.

In Elyria, the proponent of a rezoning request is responsible for the preparation of the ordinance(s) to be considered by City Council. If the proponent or proponent's legal counsel needs guidance in the preparation of this document, the Council Clerk or Law Director can provide samples of the type of ordinance, which is needed. The City Law Director must review all proposed ordinances before their submission and approve them in writing as to correct legal form.

A one hundred (\$100.00) fee shall accompany each rezoning request. In those instances where more than one ordinance is needed to cover various changes on a given piece of land, the fee must accompany each of the various ordinances. There must be a separate ordinance for each type of zoning requested on tracts of land.

Additional requirements of any request for change in zoning are:

1. Petition or letter requesting a change in zoning addressed to the President of Elyria City Council stating the location of the proposed change and the present and proposed zoning;
2. All documents submitted should be on 8-1/2" x 11" paper.
3. Twenty five (25) copies of the plat, drawn to scale of one inch equals one hundred feet (1" = 100');
4. Twenty five (25) copies of an ordinance approved in writing as to form by the City Law Director, containing the following:
 - a. A legal description of the area, including size in square footage or acreage;
 - b. A location map showing the area to be rezoned and nearby streets and intersections;
 - c. The name or names of the property owner(s) within the land to be rezoned if there are ten (10) or less; if there are more than ten (10) property owners, then the name of the petitioner shall be recited in the ordinance; and
 - d. The caption of the ordinance shall contain a brief description of the land as to its location, the names of the property owners, if there are ten (10) or less; if there are more than ten (10) property owners, then the caption shall contain the name of the petitioner; and
5. A list of the names and addresses of owners and permanent parcel numbers of property contiguous to and directly across the street, road or highway from such property.

All requests must be filed with the Clerk of Council on the Thursday prior to the regularly scheduled City Council meeting. Elyria City Council meets on the first and third Monday evenings of each month, with an abbreviated summer schedule.

If Planning Commission finds a rezoning request in keeping with the long range land use goals and planning objectives of the City of Elyria and approves the request, City Council may approve the request with a simple majority vote. Elyria City Council may disapprove by simple majority vote; a rezoning approved by the Planning Commission. In those instances where the Planning Commission does not approve a request, it takes a two-thirds (2/3) vote of City Council to override Planning Commission's denial.

It is the general practice of the Community Development Committee to delay consideration of all zoning matters until the members of Elyria Planning Commission have had time to consider such matters. Meetings of the Community Development Committee are scheduled during evening hours. After this Committee has reached a decision, their recommendation is forwarded to Elyria City Council for further action.

If the recommendation of the Community Development Committee or of Planning Commission is in favor of the rezoning, the public hearing will be scheduled approximately 30 days after the first reading of the ordinance. This time period is needed for legal advertising and notification of adjacent property owners. The second reading of the rezoning ordinance will be held on the next regularly scheduled council meeting after the first reading. The final reading and Council's vote usually occurs on the same evening of the public hearing.

Note:

The proponent(s) may be represented by legal counsel at any or all of the meetings referenced herein. Proponents or opponents may appear before Planning Commission, Community Development Committee and/or Elyria City Council. For additional information on Elyria's rezoning process please feel free to call:

Elyria Clerk of Council	326-1550	Elyria Law Director	326-1464
Elyria Chief Building Official.....	326-1491	Elyria Planning Commission...	326-1402