

of the Village of Madeira in November, 1957, shall upon this charter taking effect have and exercise all the powers and duties of members of Council as prescribed in this charter and shall serve as such until their successors elected in 1959 shall take office, and such Mayor shall, in addition, have and exercise all the powers and duties of the Mayor as prescribed in this Charter and shall serve as such until the members of Council elected in 1959 shall take office. The Clerk and Treasurer of the Village of Madeira elected in November, 1957, shall respectively have and exercise the powers and duties of the Clerk and Treasurer as prescribed in this charter and shall serve as such, unless earlier combined, until their respective successors are appointed by the Council elected in 1959. The existing offices of members of the Planning Commission are by this charter abolished, and the provisions of § 1 of Article VII hereof shall by Council be implemented, effective January 1, 1960.

§ 3 EFFECT ON PRESENT ORDINANCES.

All ordinances and other measures of the village in force when this charter takes effect and not inconsistent therewith shall continue in force until amended or repealed by Council. All rules and regulations of the Planning Commission of the village in force when this charter takes effect and not inconsistent therewith shall continue in force until amended or repealed by the Planning Commission and Council.

§ 4 EFFECT ON PRESENT CONTRACTS.

All contracts entered into and obligations incurred by the village or for its benefit prior to the taking effect of this charter shall continue in full force and operation.

ARTICLE XVI. MADEIRA HISTORIC DISTRICT/PRESERVATION

The City of Madeira was deeded and assumed ownership of the "Hosbrook House" located at 7014 Miami Ave. and the "Muchmore House" located at 7010 Miami Ave. In addition to these two properties the City also has ownership of the historic Railroad Depot located at 7701 Railroad Ave. These three important and historic properties are to be preserved, protected, and left standing on the same ground that the structures were built upon. These three historic structures will be included in the "Historic District."

CITIZEN INITIATED AMENDMENT

ARTICLE XVII. BOARD OF ZONING APPEALS

§ 1 APPOINTMENT AND QUALIFICATIONS.

The Board of Zoning Appeals shall consist of five members, each of whom shall be appointed by a majority of Council. All persons appointed as members to the Board shall be qualified electors of the municipality. Council shall make initial appointments effective August 1, 2017, as follows: three persons shall be appointed as members for terms of four years, with the fourth year of their term ending on December 31, 2020, and two persons shall be appointed as members for terms of two years, with the second year of their term ending on December 31, 2019.

Thereafter all persons shall be appointed for four year terms commencing on January 1st of the appointed year and shall continue in office until his or her successor is appointed. Any vacancies shall be filled in the manner in which the original appointment was made to serve for the respective unexpired term.

No person may serve on the Planning Commission and the Board concurrently.
(Amendment passed by the voters 05-02-2017)

§ 2 MEETINGS.

The Board of Zoning Appeals shall meet not less than once each month, and keep a public record of its findings, resolutions, and determinations.
(Amendment passed by the voters 05-02-2017)

§ 3 POWERS AND DUTIES.

The Board of Zoning Appeals shall have all the powers granted to, and perform all the duties imposed upon, boards of zoning appeals by the laws of Ohio, including all statutes now or hereafter enacted.

Any decision of a public official made in the administration of the city's zoning ordinance may be appealed to the Board of Zoning Appeals in accordance with the procedures established by ordinance. The Board of Zoning Appeals shall have the authority to interpret provisions of the zoning ordinance and to confirm, modify or reverse the zoning decision of the public official. The Board of Zoning Appeals shall follow the procedures and standards as established by ordinance, laws and decisions of courts having jurisdiction over the City of Madeira.
(Amendment passed by the voters 05-02-2017)

§ 4 VARIANCES.

Upon application, the Board of Zoning Appeals shall consider applications for variance in accordance with the standards established by ordinance. The Board of Zoning Appeals shall have the authority to grant relief from the strict application of the zoning ordinances. No variances shall be granted and no decision of a public official regarding the administration of the zoning ordinance shall be reversed except upon the affirmative vote of a majority of the members of the Board.

When any such appeal or variance is filed, the Board shall hold a public hearing on each appeal and variance, with notice of the time and place thereof posted on the official website of the municipality and in the lobby of the municipal building at least 10 days in advance of such hearing. The Board shall, in addition, give notice of any such hearing by letter to property owners where property is located within 200 feet of the subject property and other deemed interested parties by the City Manager, deposited in the mail 10 days in advance of such hearing and addressed to their last known residences, in those cases where the proposed change does not directly affect more than 30 such owners.
(Amendment passed by the voters 05-02-2017)