



Decisions of the Board of Zoning Appeals are regulated by Section 1131.05 of the Zoning Code, as follows:

*Section 1133.05 ORDERS*

“In exercising [its] powers, the Board of Zoning Appeals may, in conformity with the provisions of the Zoning Code, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. In considering all appeals, the Board shall, before making any finding in a specific case, first determine that the proposed change will not constitute change in the Zoning District Map and will not impair an adequate supply of light and air to adjacent property, nor increase the congestion in public streets, nor increase the public danger of fire and safety, nor materially diminish or impair established property values with then the surrounding area, nor in any other respect impair the public health, safety, comfort, morals, and welfare of the City, nor go against the intent of the Master Plan of the City. Every change granted or denied by the Board shall be accompanied by a written finding of fact, specifying the reason for granting or denying the variation.”

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**The concurring vote of three (3) members of the Board is necessary to decide in favor of any item upon which the Board of Zoning Appeals is authorized to pass judgment.**

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No order of the Board permitting the erection or alteration of a building shall be valid for a period longer than six (6) months, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a uses of a building or premises shall be valid for a period longer than six (6) months, unless such use is established within such period; provided, however, there where such use permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.