

# City of Cincinnati

Department of City Planning  
Division of Buildings and Inspections

Development & Permit Center  
3300 Central Parkway  
Cincinnati, Ohio 45225  
Phone (513) 352-3313  
Fax (513) 352-2378

APPEAL TO THE

## BOARD OF BUILDING APPEALS

ADDRESS OF PREMISES IN QUESTION: \_\_\_\_\_

### NAMES AND ADDRESS:

Appellant \_\_\_\_\_ Address: \_\_\_\_\_  
Owner: \_\_\_\_\_ Address: \_\_\_\_\_  
Lessee: \_\_\_\_\_ Address: \_\_\_\_\_

To the Board of Building Appeals:

I hereby appeal to the Board of Building Appeals for a hearing before the Board in reference to the attached (ruling) (order) issued to \_\_\_\_\_ by the Chief Building Official (CBO) under the date of \_\_\_\_\_. The appeal is based on the following grounds: (use additional sheet, if required)

I hereby depose and say that the above statements and the statements transmitted herewith are true.

Signature of Appellant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Relationship of appellant to owner: Same \_\_\_\_\_ Lessee \_\_\_\_\_ Attorney \_\_\_\_\_

Architect \_\_\_\_\_ Engineer \_\_\_\_\_ Other \_\_\_\_\_ ( Please Specify) \_\_\_\_\_

Sworn to and subscribed before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Public \_\_\_\_\_

### OFFICE USE ONLY:

Case Number \_\_\_\_\_ Date Filed \_\_\_\_\_

# **ANSWERS TO FREQUENTLY ASKED QUESTIONS**

**PLEASE NOTE:** This information is supplied for your convenience. Your attention is directed to the full text and provisions of Chapter 1101 of the Cincinnati Building Code and Sections 6 and 7 of Article XXI of the Administrative Code.

- 1) **WHO MAY APPEAL?** Any person who has a bona fide controversy with the Department of Buildings and Inspections as to the interpretation or application of a provision or provisions of laws or ordinances subject to administration by the Department of Buildings and Inspections, except in cases for which special Boards of Appeals are provided.
- 2) **WHAT MAY BE APPEALED?** A written ruling or a written order to make repairs, alterations or corrections.
- 3) **WHEN MUST AN APPEAL BE FILED?** Without exception, the complete appeal package pursuant to Item #5 below must be filed within thirty days from the date of receipt of the written ruling or order, but not less than ten working days prior to the actual hearing date.
- 4) **WHAT ARE THE GROUNDS FOR APPEAL?** The appeal shall be based on one or both of the following grounds, to wit:
  - A) That the ruling or order is erroneous or constitutes an erroneous application of the particular provisions of the Ohio Building Code, the Cincinnati Building Code or related laws or ordinances involved, or is otherwise contrary to law;
  - B) That alternative arrangement is available or feasible whereby the strict application of a particular provision or provisions may be modified without defeating the public safety, health and general welfare purpose and intent of the provisions of the Ohio Building Code or Cincinnati Building Code; or
  - C) A literal enforcement of Chapter 1117 CBC, the administration thereof, or any rule or regulations made thereunder, will result in an undue hardship.
- 5) **HOW TO FILE ?** Complete this form and deliver or send to Majed Dabdoub, P.E., Secretary to the Board of Building Appeals, 3300 Central Parkway, Cincinnati, Ohio 45225. This form must be notarized and accompanied by:
  - A) A copy of the written ruling or written order appealed;
  - B) A nonrefundable filing fee in the sum of fifty dollars (\$53.00) for appeals relative to Chapter 1117 CBC or one hundred fifty dollars (\$158.00) for all others. (Make checks payable to "The City of Cincinnati"), and
  - C) Pursuant to above Item #4, a supporting statement outlining the proposed alternative arrangement or argument to be offered for the Board's consideration. An appeal based in whole or in part on hardship requires that an estimate or bid in detail, estimating the cost of compliance, a statement of income and alternative safety proposals to ensure an equivalent degree of safety, must be submitted.
- 6) **WHAT AUTHORITY DOES THE BOARD HAVE?** The Board of Building Appeals has full authority to affirm, modify, reverse, or set aside the ruling or order appealed from, and its decision shall be final.
- 7) **WHEN ARE THE HEARINGS HELD?** The Board of Building Appeals meets the first Thursday of each month at 1:30 P. M. Your case will be set before the Board as the case load and schedule permits. You will be notified in writing at least ten (10) days prior to your hearing of the actual time, date and location.
- 8) **HOW WILL I KNOW WHAT DECISION THE BOARD REACHED ?** Decisions are made in open session usually immediately after the hearing. The decision will be sent to the owner of the premises, the appellant, and the city agencies involved within thirty days of the hearing in question.