



Ohio Administrative Code Rule 1501-6-24 Review of permit application.

Effective: August 1, 1997

(A) Pursuant to the requirements of division (B) of section 1506.07 of the Revised Code, the department shall review each application for a permit as described in paragraph (B) of rule 1506-6-23 of the Administrative Code to evaluate the existing or proposed erosion control measures. Factors to be considered in the evaluation of an erosion control measure shall include, but not be limited to, the following:

- (1) The potential individual or cumulative impact, including any adverse effects on sand resources and coastal processes; and
- (2) The potential for accelerating erosion along the adjacent shoreline; and
- (3) The stability of the existing or proposed slope; and
- (4) The effectiveness of existing erosion control measures at the proposed site and along the adjacent shoreline; and
- (5) The integrity of the existing or proposed erosion control measure, its appurtenances and component materials; and
- (6) The effectiveness of proposed structural and/or nonstructural measures to protect the permanent structure.

(B) Within thirty days after receipt of a complete application, the director shall notify the applicant that the application is either approved or denied. If an application is approved, the director shall issue a permit, as specified in rule 1501-6-25 of the Administrative Code, to erect, construct, or redevelop the permanent structure. If an application is denied, the director shall notify the applicant of the reason for denial and of the applicant's appeal rights under section 1506.08 of the Revised Code.



(C) The director shall issue a permit to an applicant if:

(1) The proposed site is or will be protected by effective erosion control measures as determined according to criteria in paragraphs (A)(1) through (A)(6) of this rule, or

(2) Both of the following criteria are met:

(a) The permanent structure will be a movable structure or will be situated as far landward as applicable zoning resolutions or ordinances permit; and

(b) The applicant will suffer exceptional hardship if the permit is not granted.

(D) Issuance by the director of a permit to erect, construct or redevelop a permanent structure pursuant to division (B) of section 1506.07 of the Revised Code does not release the applicant from obtaining any and all other permits, leases or documents from any local, state or federal agency for the permanent structure or for the erosion control measures.