



Certificate of Compliance – Zoning Permit

	Date: _____
Applicant: _____	
Project Address: _____	
Reviewed: Application Completeness: ___ Zoning Compliance: ___ Engineering: ___	

I hereby request the following consideration:

Board of Zoning Appeals

Describe the purpose of the application: (i.e. Variance for height of fence needed for privacy)

PROPERTY INFORMATION:

Property Information: (check one)		<input type="checkbox"/> Residential Use <input type="checkbox"/> Commercial Use <input type="checkbox"/> Industrial Use <input type="checkbox"/> Mixed Use	
Detail concerning property: (vacant lot/existing building)			
Does the lot have existing structures? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, how many presently:		Describe existing structures on lot	
Parcel #:		Zoning District:	
Current or Previous Use:			
Flood Hazard Designated Area: <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, additional regulations may apply.			
City Engineer shall record the flood level elevation:			
Riparian Setback Area: <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete form associated with riparian setbacks.			
Check if you will be connecting into the following utilities: <input type="checkbox"/> Electric <input type="checkbox"/> Storm Sewer <input type="checkbox"/> Water Line <input type="checkbox"/> Sanitary Sewer			
Please select one if applicable: Design Review District: _____ and/or Historic Preservation District: _____ (Certificate of Appropriateness may be required)		<input type="checkbox"/> Richmond Street <input type="checkbox"/> Bank Street <input type="checkbox"/> Railroad Street	<input type="checkbox"/> Historic Downtown <input type="checkbox"/> Mentor Avenue
<input type="checkbox"/> Applicant / <input type="checkbox"/> Owner Information: signature of individual required			
Name:			
Address:		City:	State: Zip:
Phone		Email:	
Signature: _____			Date: _____

<input type="checkbox"/> Applicant / <input type="checkbox"/> Owner Information: signature of individual required			
Name:			
Address:	City:	State:	Zip:
Phone	Email:		
Signature:			Date:

Submittal Requirements: Appeals and Variances (BZA).....\$175.00

1. The location of the subject property;
2. A description of the proposed Appeal application including an indication of the specific decision or determination requested for Appeal;
3. Verification that the owner of the property or an authorized applicant is submitting the application per Section 1111.03(a) of the Unified Development Code;
4. The required application fee per Section 1105.06 Fees of the Unified Development Code; and
5. Any other information necessary for the evaluation of the Appeals application as deemed necessary by the Zoning Administrator.

1111.12 APPEALS AND VARIANCES.

The purpose of a variance is to provide limited relief from the requirements of this code in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this code. It is not intended that variances be granted merely to remove inconveniences or financial burdens that the requirements of this code may impose of property owners in general.

Variances are intended to address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission. An appeal to the Board of Zoning Appeals (Board) may be made taken by any person aggrieved or by an administrative decision made in the enforcement of this Code and in accordance with the provisions of this section as follows:

(a) Application for Appeal.

- (1) An appeal shall be initiated by filing an application in conformance with the General Application Requirements set forth in **Section 1111.03** within 20 days of the date of the administrative order, decision, determination, or interpretation. Such application shall be submitted to the Administrator.
- (2) The Administrator shall transmit to the Board the application and all the papers constituting the records upon which the action was taken.
- (3) An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Administrator makes a written finding that such a stay would cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of equity, after notice to the officer from which the appeal is taken and on due cause shown.

(b) Board Review and Action.

- (1) The Board of Zoning Appeals shall hold a public hearing in accordance with the procedures set forth in Section 1111.02.
- (2) The Board may go into executive session for discussion but all votes shall be taken in public.
- (3) The Board may adjourn a hearing in order to permit the obtaining of additional information or to cause such further notice as it deems proper. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of such hearing unless the Board so decides.
- (4) The Board shall decide all applications and appeals within 30 days of the final hearing.
- (5) A certified copy of the Board's decision shall be transmitted to the applicant or appellant and the Administrator. Such decision shall be binding upon the Administrator and observed by him and shall incorporate the terms and conditions of same in the permit to the applicant or appellant.
- (6) A decision of the Board shall not become final until the expiration of five days from the date of such decision, unless the Board finds the immediate taking of effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.
- (7) No application for a variance, which has been denied wholly or in part by the Board, shall be resubmitted within one year of such denial, except with the concurring vote of not less than four-fifths of the members of the Board. A substantial modification of a request for a variance may be submitted as a new application, however, without regard to the one-year limitation. Before ruling on the new application, the Board shall first make a determination that the modification is substantial.
- (8) In making its decision, the Board may approve, approve with modifications or supplementary conditions, or deny the application.
- (9) In approving a variance, the Board may impose conditions on their approval as it may deem necessary to further the purposes of this Code. The Board shall require such evidence and guarantee or bond as it may deem to be necessary to ensure compliance with this Code.
- (10) Approval of a variance shall become null and void if an application associated with the approval is not submitted within six months of the final hearing. At the time of approval of the variance, the Board may authorize a six month extension for projects of a size and scope that require additional time for preparation of detailed plans prior to construction.