

Bainbridge Township

Geauga County
Ohio

ZONING INSPECTOR

OFFICES
17826 CHILLICOTHE ROAD
BAINBRIDGE TOWNSHIP, OHIO 44023
(440) 543-9871
FAX (440) 543-4654

BAINBRIDGE TOWNSHIP VARIANCE APPLICATION

Attached is an Application for a Notice of Appeal (requesting a Variance) from the Bainbridge Township Zoning Resolution. Upon receipt of the completed application, the Zoning Inspector will present this application to the Board of Zoning Appeals at its next scheduled meeting at which time the Board of Zoning Appeals will schedule a date for a public hearing for the application. At a business meeting following the public hearing, the Board of Zoning Appeals will render its decision in accordance with Chapter 117 of the Bainbridge Township Zoning Resolution.

Should a zoning certificate be required in addition to the variance, a separate application must be filed by the applicant for approval.

Fees for variances are established by the Township Trustees. They are available by request and posted in the Township Clerk's Office.

The variance is NOT a building permit, and the applicant should check with the Geauga County Building Department for any additional permits required by the County for building, driveways, septic systems and wells.

The completed application **MUST** be submitted by noon on the 3rd Thursday of the month to be scheduled for Public Hearing at the following month's Board of Zoning Appeals meeting.

The submitted application must include all pertinent information and a complete list of adjacent property owners (name, address, zip code). See Item #2 on application.

Incomplete applications **WILL NOT** be accepted.

Applicant or representative MUST be present.

BAINBRIDGE TOWNSHIP ZONING DEPARTMENT

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NOTICE OF APPEAL

(REQUESTING A VARIANCE)

Application No. _____

ZBA No. _____

THIS APPLICATION SHALL BE COMPLETED BY THE APPLICANT.

A. Name of Appellant: _____

Address Appellant: _____

Telephone Number of Appellant: _____

B. Name of Owner of Record: _____

Address of Owner of Record: _____

Telephone Number of Owner of Record: _____

C. Address of the Property: _____
(if different from Appellant's current address)

D. Attach documentation as to authority to file notice of appeal (eg. deed, power of attorney, lease, or purchase agreement).

E. Attach a legal description of the property, as recorded with the Geauga County Recorder.

F. Provide the current Zoning District in which the property is located: _____

G. Provide a description of the existing use of the property:_____

H. Provide a description of the proposed use of the property:_____

I. Attach three (3) copies of a plan or map, drawn to scale, with a north arrow and date showing the following information:

1. The location, configuration and dimensions of all contiguous lots or parcels in which any of the following persons or entities has any interest:

- (1) The applicant.
- (2) The spouse or former spouse of the applicant.
- (3) Any lineal ancestor or descendant of the applicant.
- (4) Any corporation or partnership, in which the applicant, his spouse or former spouse, or any lineal ancestor or descendant of the applicant, has any interest.
- (5) Any trustee or nominee of any of the foregoing, regardless of the nature of the beneficial interest, and without regard to whether the same is vested or contingent.

For the purposes of this subparagraph, "interest" shall include (a) any lease-hold interest; (b) any right or option to purchase, on any terms or conditions; (c) a right to purchase under a conditional purchase agreement; (d) any interest in reversion or remainder, and any incorporeal hereditament, whether vested or contingent.

2. ***Please attach a list of names and addresses of all parties in interest. (All adjacent properties and those properties directly across from property.)***

3. The dimensions (in feet) of all property lines and the total acreage of the property.

4. The dimensions (in feet) of existing buildings or structures on the property, if any.

5. The setback (in feet) from all property lines of existing buildings or structures on the property, if any.

6. The dimensions (in feet) of proposed buildings or structures on the property or of any addition or structural alteration to existing buildings or structures.
 7. The total amount of square feet of floor space for each floor of proposed buildings or structures on the property or of any addition or structural alteration to existing buildings or structures.
 8. The setback (in feet) from all property lines of proposed buildings or structures on the property or of any addition or structural alteration to existing buildings or structures.
 9. The height (in feet) of existing buildings or structures on the property.
 10. The height (in feet) of proposed buildings or structures on the property or of any addition or structural alteration to existing buildings or structures.
 11. The name and location of the existing road(s), public and private, adjacent to the property.
 12. The number of dwelling units existing (if any) and proposed for the property.
 13. The location, dimensions (in feet), and number of parking spaces existing (if any) and proposed.
 14. For commercial and industrial uses: the location, dimensions (in feet), and number loading/unloading spaces.
 15. The location and dimensions (in feet), of any existing or proposed easements on the property.
- J. For an appeal requesting a variance to sign regulations, provide the following information:
1. Attach three (3) copies of a drawing, drawn to scale and dated, showing:
 - a. The dimensions (in feet) of the sign.
 - b. The area of the sign in square feet.
 - c. The location of the sign on the building, structure, or property including dimensions (in feet) from the front lot lines.
 - d. The height (in feet) of the sign.
 - e. The method of illumination, if any.
 - f. The content of the sign.

K. Provide the following additional information:

1. State the exact nature of the variance requested:

2. Provide the specific zoning regulations from which a variance is requested:

3. Written justification for the requested variance shall be made. If the request is for an "area" variance, responses to the following shall be provided:

a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.

b. Whether the variance is substantial. _____

c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

- d. Whether the variance would adversely affect the delivery of governmental services.

- e. Whether the property owner purchased the property with the knowledge of the zoning restriction.

- f. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

- g. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

- h. Such other criteria which relate to determining whether the zoning regulation is equitable.

- 4. Written justification for the requested variance shall be made. If the request is for a "use" variance, responses to the following questions shall be provided:

- a. Why will the variance from the terms of the zoning resolution not be contrary to the public interest?

- b. Because of what special conditions will an unnecessary hardship result from a literal enforcement of the zoning resolution?

- c. What is the unnecessary hardship which will result from a literal enforcement of the zoning resolution owing to the special conditions set forth in paragraph (b) above?

- d. How will the spirit of the zoning resolution be observed if the variance is granted?

- e. Why will substantial justice be done if the variance is granted?

I hereby certify that all of the information supplied in this application and attachments hereto are true and correct to the best of my knowledge, information, and belief.

I hereby acknowledge that I understand that the penalty for falsification is imprisonment for not more than six (6) months, or a fine of not more than one thousand dollars (\$1,000), or both.

If all the information requested in the application is not provided, the application will be returned with no action.

Appellant's Signature

Date

FOR OFFICIAL USE ONLY

Application Number: _____

Zoning Certificate Application Number: _____

Date Notice Filed with Zoning Inspector: _____

Date Notice Filed with Board of Zoning Appeals: _____

I hereby acknowledge receipt of this notice of appeal requesting a variance this _____ day of _____, _____.

Signature of Chairman or Secretary
of Bainbridge Township Board of Zoning Appeals