

**CITY OF SPRINGDALE, OHIO
SPRINGDALE BUILDING DEPARTMENT
11700 SPRINGFIELD PIKE – SPRINGDALE OH 45246
TELEPHONE: (513) 346-5730
FAX: (513) 346-5747**

SUBMISSION REQUIREMENTS AND INSTRUCTIONS FOR VARIANCE REQUEST

An application for a variance from the Zoning Code to the Board of Zoning Appeals submitted to the Office of the City of Springdale Building Department must comply with the requirements and procedures outlined herein.

This packet contains a checklist of general, written and graphic requirements, as well as application submittal forms. The checklist, together with all required information and application forms, must be submitted (originals) in **complete and accurate form before the Variance Request will be processed by the Building Department.**

The filing date of the application packet shall be the date on which all information submitted is examined by the Building Department Staff and found to meet all the requirements as described in this packet. The schedule below lists the closing dates for the filing of applications and corresponding hearing dates for each cycle. The closing date represents the final date on which an application will be accepted. **After the closing date, the applicant cannot modify any portion of the information submitted, unless specifically requested by the staff or Board of Zoning Appeals. Early submission is therefore highly recommended to assure placement on the agenda and adequate time for revisions and corrections.**

2014 -2015 CLOSING DATES AND SCHEDULES OF MEETINGS

<u>DUE DATE</u>	<u>BOARD OF ZONING APPEALS</u>
November 28, 2014	December 16, 2014
January 2, 2015	January 20, 2015
January 30, 2015	February 17, 2015
February 27, 2015	March 17, 2015
April 3, 2015	April 21, 2015
May 1, 2015	May 19, 2015
May 29, 2015	June 16, 2015
July 3, 2015	July 21, 2015
July 31, 2015	August 18, 2015
August 28, 2015	September 15, 2015
October 2, 2015	October 20, 2015
October 30, 2015	November 17, 2015
November 27, 2015	December 15, 2015
December 31, 2015	January 19, 2016

ALL MEETINGS ARE HELD IN THE CITY COUNCIL CHAMBERS AT 11700 SPRINGFIELD PIKE, SPRINGDALE, OH AT 7:00 P.M. AT THE HEARING YOU WILL BE EXPECTED TO EXPLAIN YOUR REQUEST AND GIVE REASONS AS TO THE NECESSITY FOR A VARIANCE AND PRESENT ANY OTHER WITNESSES TO GIVE TESTIMONY. OTHERS IN ATTENDANCE WILL ALSO BE GIVEN THE OPPORTUNITY TO GIVE TESTIMONY. THE APPLICANT OR A REPRESENTATIVE IS EXPECTED TO BE PRESENT AT THE MEETING. LACK OF REPRESENTATION BY THE APPLICANT MAY RESULT IN THE REQUEST BEING TABLED TO THE NEXT MEETING. HOWEVER, A DECISION COULD BE MADE WITHOUT THE BENEFIT OF THE APPLICANT'S INPUT.

APPLICATION FOR A ZONING VARIANCE TO THE
BOARD OF ZONING APPEALS
CITY OF SPRINGDALE BUILDING DEPARTMENT
11700 SPRINGFIELD PIKE – SPRINGDALE OH 45246
TELEPHONE: (513) 346-5730
FAX: (513) 346-5747

FOR THE CITY OF SPRINGDALE BUILDING DEPARTMENT USE ONLY:

ZONING DISTRICT _____ DATE RECEIVED _____

APPLICATION NUMBER _____

NOTE: THIS APPLICATION MUST BE TYPEWRITTEN OR CLEARLY PRINTED. USE
ADDITIONAL SHEETS IF NECESSARY

ADDRESS OF SUBJECT PROPERTY _____

NAME OF APPLICANT _____

ADDRESS _____ PHONE NO. _____

CITY/STATE/ZIP _____ EMAIL _____

NAMES AND ADDRESSES OF EACH PROPERTY OWNER(S) OF THE SUBJECT PROPERTY:

1. _____

2. _____

DESCRIBE THE NATURE OF YOUR REQUEST _____

SECTION OF THE CODE FROM WHICH YOU ARE SEEKING A VARIANCE: _____

**BY SUBMITTING THIS APPLICATION I AGREE THAT THE CITY MAY PLACE A SIGN ON THE
SUBJECT PROPERTY GIVING PUBLIC NOTICE OF THE HEARING.**

(MY)(OUR) INTEREST IN THE SUBJECT PROPERTY IS:

OWNER _____ AGENT _____ LESSEE _____ OPTIONEE _____

APPLICANT _____
Signature Address Phone Number Fax Number

OWNER(S) _____
Signature Address Phone Number

OWNERS' AFFIDAVIT

STATE OF OHIO, COUNTY OF HAMILTON

I(we) _____
hereby certify that we are all of the owners of the real estate which is the subject of the Variance Request, that we hereby consent to the Board of Zoning Appeals of the City of Springdale acting on the request for the subject real estate. We understand that our application will be considered and processed in accordance with the regulations as set forth by the City of Springdale Building Department and Zoning Code; that we agree to accept, fulfill and abide by those regulations and all stipulations and conditions attached to the property by the Board of Zoning Appeals of the City of Springdale. The statements and attached exhibits are in all respects true and correct to the best of my/our knowledge and belief.

Signature

Mailing Address

City and State

Phone

Subscribed and sworn to before me this _____ day of _____, 20__

Notary Public

Person to be contacted for details, other than signatory:

Name Address Phone

**SUBMISSION REQUIREMENTS FOR VARIANCES
TO THE CITY OF SPRINGDALE ZONING CODE**

This checklist must be completed and submitted with the application. Each section must be checked off as an indication that you have included it with the application. Where the check list indicates “if applicable” and it does not apply to your request, you may indicate “not applicable” or “NA” all other items must be included and acknowledged by the applicant with a checkmark or X.

1. GENERAL REQUIREMENTS

 1.1 SUBMITTED BY CLOSING DATE (DATE: / /)

The application packet must be submitted to the office of the City of Springdale Building Department no later than the due date. Prior to submitting the application packet and necessary information, the applicant should revise the proposed plans and/or information as advised by the Building Official. After the closing date, the applicant cannot modify any portion of the information submitted unless specifically requested by the staff or Board of Zoning Appeals. Early submission is recommended to assure placement on the agenda and adequate time for revisions and corrections. **Incomplete or inaccurate applications will not be accepted for processing or be placed on the agenda for any hearings or meetings.**

Variance Application Cancellations must be submitted in writing to the Building Official.

2. WRITTEN REQUIREMENTS

 2.1 REFUSAL NOTICE/ZONING ORDER (if applicable)

Submit one (1) copy of the refusal notice issued by the City of Springdale Building Official. An appeal of a refusal notice or zoning order must be filed within twenty (20) days of the date the refusal notice or zoning order is issued. **Appeals in cases where the Board has original jurisdiction under the Zoning Code may be made at any time before the closing date of each cycle and do not require the submittal of a refusal notice or zoning order.**

 2.2 VARIANCE APPLICATION FORM

Complete and submit the original and one (1) copy of the Variance Application form (provided).

 2.3 OWNER'S AFFIDAVIT

Complete and submit the original and one (1) copy of the Affidavit (provided).

 2.4 DESCRIPTION OF REQUEST AND REASONS FOR VARIANCE FORM

Complete and submit the original and one (1) copy of the Description of Request and Reasons for Variance form (provided in this packet).

 2.5 CHECKLIST OF REQUIREMENTS

Submit this checklist fully completed.

3. GRAPHIC REQUIREMENTS

__3.1 SITE PLAN (if applicable)

Submit ten (10) copies of the plot plan **drawn to scale**; the finished size should be not larger than 24 x 36 inches and contain the following information:

- __A. All existing property lines for each parcel within the subject site, and the last name of the owners therein;
- __B. The exact boundaries and dimensions of the subject lot;
- __C. Title, scale and address of the property;
- __D. The size and location of all existing and proposed structures;
- __E. Street names and right of way lines.
- __F. Setback distances from property lines to structures if applicable to the request

Eight (8) of the 10 required copies of the plot plan may be reduced to an 11" x 17" sheet of paper in lieu of 8 of the above full size drawings, provided they are legible.

__3.2 DETAILED DRAWINGS

Ten (10) copies of any drawings which help to describe the request before the Commission, (i.e. Floor Plans, Building Elevations, Sign Drawings, Etc.)

__3.3 PHOTOGRAPHS

Provide a minimum of three different photographs to help to clarify your request to the Board.

__3.4 SUPPORTING INFORMATION

Provide any other supporting information which will assist the Board in understanding and evaluating your case (i.e. brochures, literature, etc.)

INFORMATION SUBMITTED SHALL BE ASSUMED TO BE CORRECT, AND APPLICANT AND/OR AGENT SHALL ASSUME RESPONSIBILITY FOR ANY ERRORS AND/OR INACCURACIES IN AN IMPROPER APPLICATION.

Signature of person preparing this checklist
(Applicant or Representative)

Date Submitted

**DESCRIPTION OF REQUEST AND REASONS FOR VARIANCE
CITY OF SPRINGDALE BUILDING DEPARTMENT
11700 SPRINGFIELD PIKE – SPRINGDALE OH 45246
TELEPHONE (513) 346-5730
FAX (513) 346-5747**

NOTE: THE BOARD IS REQUIRED TO CONSIDER IF THERE ARE ASPECTS ABOUT THE PROPERTY WHICH MAKE IT IMPRACTICAL TO COMPLY WITH THE ZONING CODE WITH RESPECT TO AREA VARIANCES (i.e. setbacks, size, area, density, etc.) OR THAT AN UNNECESSARY HARDSHIP EXISTS WITH RESPECT TO A USE VARIANCE.

THE BOARD WILL CONSIDER THE FOLLOWING ITEMS IN MAKING THEIR DECISION:

- a. WHETHER THE PROPERTY WILL YIELD A REASONABLE RETURN WITHOUT THE VARIANCE OR WHETHER THERE CAN BE BENEFICIAL USE OF THE PROPERTY;
- 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 KNOWLEDGE OF THE RESOLUTIONS, ORDINANCES, REGULATIONS, MEASURES AND ORDERS;
- f. WHETHER THE PROPERTY OWNER'S PREDICAMENT FEASIBLY CAN BE OBIATED THROUGH SOME METHOD OTHER THAN VARIANCE; AND
- g. WHETHER THE SPIRIT AND THE INTENT BEHIND THE RESOLUTIONS, ORDINANCES, REGULATIONS, MEASURES AND ORDERS WOULD BE OBSERVED AND SUBSTANTIAL JUSTICE DONE BY GRANTING THE VARIANCE.

THE COSTS NECESSARY TO MAKE THE PROPERTY COMPLY WITH THE ZONING CODE ARE NOT A CONSIDERATION FOR GRANTING A VARIANCE.

3. Please explain in detail how you would be deprived from using your property in a manner currently enjoyed by your neighbors, if your variance request were denied.

4. Did you purchase the property with knowledge of the zoning restriction? If no, were you aware that zoning requirements existed in Springdale? If no, please explain.

5. Are there ways in which you could use the property as desired and comply with the Zoning Code? Please explain.

PUBLIC NOTIFICATION SIGN

Prior to the variance hearing the City will place a public notification sign on the subject property near the public street in accordance with 153.710(G) of the Zoning Code. The sign will be removed by the City on the next business day following the hearing. There is an example of the sign below:

