

CITY OF BAY VILLAGE
APPLICATION FOR BOARD OF ZONING APPEALS

Date: _____
Application Fee: \$50.00
Fee Paid: _____
Date of Meeting: _____

Please note: APPLICANT MUST BE THE OWNER OF RECORD OF THE PROPERTY INVOLVED IN THIS REQUEST OR THE APPLICANT MUST SUBMIT WRITTEN AUTHORIZATION FROM THE LEGAL PROPERTY OWNER AT THE TIME APPLICATION IS SUBMITTED. APPLICANT/OWNER MUST APPEAR AT THE BOARD MEETING OR THE BOARD SHALL DENY THE REQUEST. APPELLANT MUST SUPPLY 10 COPIES OF ALL DOCUMENTATION TO BE CONSIDERED OR THE APPEAL WILL NOT BE ACCEPTED.

Name of Applicant: _____ Phone: () _____

D.B.A. _____

Address: _____

Address of Property Involved in Appeal: _____

Owner of Property: _____ Phone: () _____

Owner's Mailing Address: _____

Zoning District: _____ Ord. 58-135 Code Section: _____

TYPE OF APPEAL REQUESTED:

1. Variance of code regulations.
2. A Special Permit for an accessory structure not listed by ordinance as a permitted use.

Request for variance to buildings, yards, lot coverage and/or off-street parking shall be accompanied by scale drawings with accurate measurements showing all structures in relation to property lines. Any application not containing sufficient information and/or complete drawings may be deferred until complete information has been submitted. Photos of property and adjacent areas are required.

IMPORTANT PLEASE READ!!! - C.O. 1127.06 - TERM OF VARIANCE - Variances granted will be valid for a period of twelve (12) months from the date of such order. Building permit, erection, alteration or use of a building must be commenced within this time period. The Board may grant an extension of time for good cause shown.

When variances are requested, the appellant per Section 1127.04 (D) must state and the Board must find that:

- a. A practical difficulty or unnecessary hardship exists and is *peculiar to the premises*.
- b. Refusal will deprive the owner of property rights.
- c. Granting the appeal will not be contrary to the purpose and intent of the zoning code.

Specific Details of Variance Request:

Applicant or Owner's Signature

ZONING BOARD REQUIRED FINDINGS

IF APPLICANT IS REQUESTING A VARIANCE, APPLICANT MUST SHOW UNNECESSARY HARDSHIP OR PRACTICAL DIFFICULTY; SUCH HARDSHIP MUST BE DEMONSTRATED BY CLEAR AND CONVINCING EVIDENCE AS TO ALL OF THE FOLLOWING QUESTIONS.

EACH QUESTION MUST BE ANSWERED IN FULL – A “YES” OR “NO” IS NOT ACCEPTABLE.

1. Are you currently unable to put the property to any economically viable use under any of the permitted uses in the zoning district in which it is located, and if not, why?

2. Does the variance request stem from a condition which is unique to the property in question and not ordinarily found in the district, and if so, why?

3. Was the hardship/difficulty condition existing or was it created by the applicant? What is the hardship/difficulty?

4. Was the property owner aware of the zoning restrictions when the property was purchased?

5. Is the granting of the variance necessary for the reasonable use of the land or building, and is it the minimum variance that will accomplish this purpose?

6. Will the granting of the variance adversely affect the delivery of governmental services such as water, sewer, or refuse removal?

7. Is the granting of the variance in harmony with the general purpose and intent of the Zoning Code, and will this substantially alter the character of the neighborhood?

AUTHORIZATION FOR PROPERTY ACCESS

In signing this application, I authorize members of the City's Building Department and Board of Zoning Appeals access to my property for the limited purposes of photographing and/or viewing the area affected by the variance requested in this application and verification of project dimensions.

Any dog(s) on property _____ Yes _____ No

Please Print or Type:

Applicant/Agent Name: _____

Property Address: _____ Permanent Parcel # _____

Daytime Telephone No.: _____

Applicant or Agent's Signature

Department Use Only

Remarks from the Building Department:

Variance Granted: Yes _____ No _____

**BOARD OF ZONING APPEALS REQUIRED
INFORMATION WHEN APPLYING FOR A SPECIAL PERMIT
REGARDING GENERATOR AND PLACEMENT OF SAME**

The Board of Zoning Appeals will not address requests for a special permit for generators unless the following information is completed and attached to the appeal application:

Manufacturer's Name _____

Model Number _____

SEER Rating (Seasonal Energy Efficiency Rating) _____

Dimensions of Unit _____

Decibel Level (DB rating) of the Unit _____

Size of existing electrical service _____

Size of conductors _____

Size of existing gas service line _____

Gas service sized correctly for additional load _____

**BOARD OF ZONING APPEALS REQUIRED
INFORMATION WHEN APPLYING FOR A VARIANCE
REGARDING AIR CONDITIONING CONDENSER
PLACEMENT**

The Board of Zoning Appeals **will not address** requests for a variance of air conditioning condensers unless the following information is completed and attached to the appeal application:

Manufacturer's Name _____

Model Number _____

SEER Rating (Seasonal Energy Efficiency Rating) _____

Dimensions of Unit _____

Decibel Level (DB rating) of the Unit _____