



CITY OF REMINDERVILLE
SUBMISSIONS TO THE BOARD OF ZONING AND BUILDING APPEALS APPLICATION
SUMMIT COUNTY - 3382 GLENWOOD BLVD – REMINDERVILLE, OH 44202 – 330-562-1234

The Board of Zoning and Building Appeals shall hear and decide appeals for exceptions to, and variances from, the application of resolutions, ordinances, regulations, measures and orders of administrative officials or agencies governing zoning and building in the Municipality, as may be required to afford justice and avoid unreasonable hardship, subject to such reasonable standards as shall be prescribed by Council, and such other powers as may be granted to it by Council.

SUPPORTING INFORMATION TO BE SUBMITTED WITH APPLICATION: Site plan depicting property lines and dimensions; location of main and accessory structures including property line setbacks; location of variance or request. Three (3) copies of application and supporting information to be submitted to the Building Department.

1	APPLICANT INFORMATION:	Applicant _____ Address _____ City _____ State _____ Zip _____ Phone _____ Fax _____ E-mail _____		
2	LOCATION INFORMATION CONCERNING THIS APPEAL:	Address _____ City _____ State _____ Zip _____ Sub lot _____ Parcel ID _____		
3	APPEAL OF: Narratives for sections 3 and 4 may be submitted in letter format on a separate sheet of paper.	<input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Orders of Administrative Officials or Agencies Description: _____		
4	REASON FOR APPEAL:			
5	CERTIFICATION:	<input type="checkbox"/> Owner <input type="checkbox"/> Agent for the owner		
I certify that I am the _____ and all information contained in this application is true, accurate, and complete to the best of my knowledge. All official correspondence in connection with this application should be sent to my attention at the address shown above. Signature _____ Print Name: _____ Date _____		6 THE AREA BELOW IS FOR OFFICIAL USE ONLY: Date received: _____ Application Number: _____ Check Number: _____ Processed by: _____ <input type="checkbox"/> Walk in <input type="checkbox"/> Mail in Application fees: a. Residential districts: \$100.00 b. All other districts: \$200.00		



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Zoning Variance Standards

The burden of proving the need for a variance is on the applicant. In order to prepare for a hearing before the Board Of Zoning and Building Appeals, applicants should consider the following standards for zoning variances.

Standards for Area Variances

Granting of a nonuse variance (area, size, setback, etc.) requires the existence of a *practical difficulty*. The factors (*Duncan v. Middlefield* (1986), 23 Ohio St.3d 83) to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of his property include:

- Can the property yield a reasonable return or can there be any beneficial use of the property without the variance?
- Is the variance substantial?
- Will the essential character of the neighborhood be substantially altered or will adjoining properties suffer a substantial detriment as a result of the variance?
- Will the variance adversely affect the delivery of governmental services (e.g., water, sewer, garbage)?
- Did the property owner purchase the property with knowledge of the zoning restriction?
- Can the property owner's predicament be precluded through some method other than a variance?
- Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting the variance?

Standards for Use Variances

A use variance allows a use of land that is not permitted in the district in which the property is located. Because this type of relief is so significant, granting of a use variance requires the existence of an *unnecessary hardship*. The factors to be considered and weighed in determining whether a property owner seeking a use variance has encountered unnecessary hardship in the use of his property include:

- The property could not be used (be put to a reasonable use) for the purposes permitted in that zone district.
- The plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions.
- The use would not alter the essential character of the area or adjoining properties would not suffer a substantial detriment as a result of the variance.
- The problem is not self-created.
- The variance would not adversely affect the delivery of governmental services, for example water, sewer, garbage.
- The applicant purchased the property without knowledge of the zoning restriction.
- The applicant's predicament feasibly cannot be resolved through some method other than a variance.
- The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.