



VILLAGE OF SEVILLE

120 Royal Crest Drive
Seville, OH 44273
(330) 769-4146

Zoning & Planning

APPLICATION FOR VARIANCE BOARD OF ZONING APPEALS Seville, OH

Application Number: _____
Original Zoning Certificate Number: _____

Name of Applicant: _____

Mailing Address: _____

Phone Number: home/cell _____ business _____

Address for Variance Requested: _____

Subdivision Name: _____ Lot/Parcel #: _____

Describe the Nature of the Variance requested: _____

Legible plans (drawn to scale) must be included with this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the property in question.

The Board of Zoning Appeals may authorize variances from the terms of the Zoning Ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of this Ordinance will result in practical difficulties for an area variance or unnecessary hardship for a use variance and so that the spirit of the Ordinance shall be observed and substantial justice done.

JUSTIFICATION OF VARIANCE: Please explain in detail how your request for variance meets one or more of the criteria listed for the types of variances below. Be as specific and detailed as you can. It is likely that not all of the sections will pertain to your property.

REQUEST FOR AN AREA VARIANCE (see Zoning Ordinance Code Book Section 1406.02):

Explain why a variance related to yard dimensions, setback, height or similar spatial or dimensional requirements should be granted for your property, realizing that the following factors will be considered by the Board of Zoning Appeals in determining whether to approve your request.

1. Whether the property in question will yield a reasonable return or whether there can be a beneficial use of the property without the variance.
2. Whether the variance is substantial.
3. Whether the essential character of the neighborhood will be substantially altered or whether adjoining properties will suffer a substantial detriment to their proper future development and rights as a result of the variance.
4. Whether the variance will adversely affect the delivery of governmental services.
5. Whether you purchased the property with knowledge of the zoning restriction(s).
6. Whether your need for the variance can be solved through some method other than a variance.
7. Whether the spirit and intent of the Ordinance will be observed and substantial justice done by granting the variance.

8. Whether your property has unique or exceptional circumstances or conditions that do not generally apply to other properties in the vicinity and within the same district.

REQUEST FOR A USE VARIANCE (see *Zoning Ordinance Code Book Article XIV, Section B*):

Explain how not obtaining a variance for use of your property would cause unnecessary hardship to you (the applicant) by providing evidence that the following criteria are satisfied.

1. That there is no viable use of the property under the Zoning Code without the variance.
2. That the essential character of the neighborhood will not be substantially altered or adjoining properties will not suffer interference with their proper future development and rights as a result of the variance.
3. That the hardship condition was not created by actions of the applicant.
4. That the spirit and intent of the Zoning Ordinance will be observed and substantial justice done by granting the variance.

REQUEST FOR CHANGE FROM A NON-CONFORMING USE TO ANOTHER NON-CONFORMING USE (see *Zoning Ordinance Code Book Section 1102.05*):

Explain how your proposed non-conforming use is less in conflict with the character and uses in the zoning district than the existing non-conforming use of the property.

REQUEST FOR VARIANCE TO SETBACK REQUIREMENTS TO ESTABLISH A PERMITTED USE ON A NONCONFORMING LOT (see *Zoning Ordinance Code Book Section 1104*):

Explain how a variance to the setback requirements in the zoning district would allow you to establish a permitted use of the land (note that this is only applicable if there is no contiguous land owned by you which could be used to reduce or eliminate the non-conformity).

Explain and/or attach documentation of any discussions with owners and/or residents of the adjacent or nearby properties that may be affected by approval of your requested variance.

I certify that the information contained in this application and any supplements submitted is true and correct.

Date _____ Signature of Applicant(s) _____

*** *attach additional pages / drawings as necessary* ***

Variance Instructions

Variance applications must be submitted to the Zoning Inspector or the Mayor's Office by the 1st of the month in order to be on the agenda for the Board of Zoning Appeals meeting. This gives us time to notify all adjoining property owners 10 days prior to the meeting, as required by ordinance.

The following must be received:

1. A \$100 application fee payable to the Village of Seville
2. A variance application that is completely filled out.
3. Names and addresses of all adjoining property owners. This information can be obtained at the Medina County Tax Map Office in the Medina County Administration building at 144 North Broadway Street in Medina or online at www.medinacountyauditor.org

Zoning meetings are held at 7:00 p.m. on the 4th Monday of each month. The applicant must attend the meeting to address questions the Board of Zoning Appeals members may have and to explain the need for the variance.