

# **BOARD OF ZONING APPEALS (BZA) APPLICATION**

## **2006 / 2007**

### **BEFORE YOU APPLY**

Arrange a meeting to discuss the proposed project with the Village's Zoning Officer. The Zoning Officer will help you identify the pertinent issues and determine if a public hearing is required. Application requirements vary depending upon the requested action.

#### **Staff Contacts:**

Zoning & Code Enforcement Officer: Jennifer Tinsky

#### **Contact the Municipal Building to reach all personnel:**

**40 West Reindeer Drive, Shawnee Hills, Ohio 43065**

**Phone: (614) 889-2824; Fax: (614) 889-2053**

We encourage all applicants to meet with staff prior to the cutoff date for submitting an application. This pre-filing meeting allows staff to become acquainted with the proposed application and help you identify any missing or incomplete parts of your application package. **Incomplete applications will not be accepted.**

### **WHEN YOU ARE READY TO APPLY**

Submit a complete application package to the Zoning Officer on or before the cutoff date and time for the applicable public hearing. A checklist of the application requirements is included in this packet.

### **THINGS TO REMEMBER:**

- 1) An application received after the cutoff date and time will be scheduled for a later hearing.
- 2) Application fees are non-refundable.
- 3) The BZA process addresses only the items requested by Applicant and ultimately granted in the Board's decision. Such approval does not constitute any other approval from the Village. The Village Building, Housing, and Zoning Codes may require zoning clearance, a building permit, license(s) or sign permit(s), before your project may proceed following approval of your BZA application.
- 4) The Village of Shawnee Hills makes no determination whether an area proposed for public hearing action contains land that might be classified as wetlands by the Army Corps of Engineers, nor does approval at the public hearing imply the site has complied with wetland guidelines. It is your responsibility to determine if wetlands exist on the site.

## **BOARD OF ZONING APPEALS APPLICATION 2006 / 2007**

All applications must be COMPLETE and submitted before 12:00 P.M. on the cutoff date. Application submitted after the cutoff date and time will be processed for the following hearing date. (Applications are accepted 8:00 a.m. to 3:30 p.m., Monday through Friday).

<u>CUTOFF DATE (12:00 p.m)</u>	<u>Earliest Possible BZA HEARING DATE</u>
October 14, 2006	December 12, 2006
November 15, 2006	January 9, 2007
December 13, 2006	February 13, 2007
January 10, 2007	March 13, 2007
February 14, 2007	April 10, 2007
March 14, 2007	May 8, 2007
April 11, 2007	June 12, 2007
May 9, 2007	July 10, 2007
June 13, 2007	August 14, 2007
July 11, 2007	September 11, 2007
August 15, 2007	October 9, 2007
September 12, 2007	November 13, 2007
October 10, 2007	December 11, 2007
November 14, 2007	January 8, 2008
December 12, 2007	February 12, 2008

**\*Hearings begin at 6:30 p.m. and are held at the Municipal Building, 40 West Reindeer Drive, unless otherwise specified on the notice of hearing.**

**\*\*\*\*\*To Be Completed by Zoning Officer at time of filing - DO NOT FILL IN\*\*\*\*\***

Application Number: _____	Accepted by: _____
Date Received: _____	Planning Area (Y/N): _____
First Possible Date of Hearing: _____	Acreage: _____
Filing Fee: _____	Existing Zoning: _____

**BOARD OF ZONING APPEALS (BZA) APPLICATION**

**TYPE(S) OF ACTION REQUESTED**

(Check all that apply)

Variance                     
  Conditional Use                     
  Other: \_\_\_\_\_

*Indicate what the proposal is and list applicable Code sections.*

Describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Attach an additional sheet, if necessary.

**LOCATION:**

Certified Address Number and Street Name \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ Parcel Number: \_\_\_\_\_

**APPLICANT (IF DIFFERENT THAN OWNER):**

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

**PROPERTY OWNER(S):**

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

*Check here if listing additional property owners on a separate page*

**ATTORNEY/AGENT (CIRCLE ONE)**

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

## BZA APPLICATION CHECKLIST

The application package must consist of all items listed below, with multiple copies where specified, including the original forms signed in **BLUE** ink.

- The Application Form**
- Notarized Affidavit and Label Sets** (See Instructions for Affidavit)
- Notarized Project Disclosure Statement**
- Statement of Hardship**
- Certified Address (as issued by Village Zoning Officer)**
- Legal Description** of the Subject Property, in printed form and on a floppy disk or cd-rom.
- Survey** - Current property survey to include acreage of the subject property and all bearings and distances, referencing the centerline intersection of two public streets. (Acceptance of subdivision lot numbers with corresponding plat map copies is contingent upon staff review.)
- Tax (Location) Map**  
Location map shall consist of subject site outlined or highlighted on an 8.5"x11" tax map as obtained from the Delaware County Map Room, 140 N. Sandusky Street, Delaware, Ohio.
- Site Plan**  
The site plan must be drawn to a common, measurable scale and provide applicable information as itemized on the attached Site Plan checklist. Your submission must include ten(10) full-size copies of the site plan (2' x 3'), to scale, and ten (10) reduced-size copies on either 11"x17" or 8.5" x 14" paper. Floor plans and elevations may also be required.
- Power of Attorney**  
If you are an applicant who does not own the subject property, and you are not the owner's attorney, an engineer or architect licensed by the State of Ohio, you must submit a power of attorney from the owner. If the subject property is owned by a partnership, corporation, limited liability company, trust or estate and you are not an attorney, an engineer or an architect licensed by the State of Ohio, you must submit a corporate resolution, a letter of authority from the probate court, or other legal document indicating your right to represent its interest.
- Zoning Orders**  
If this application is being made due to issuance of zoning violation orders, please attach a copy of the orders.
- Application Fees (Non-Refundable)**  
Residential: \$   
Commercial, and all other types: \$   
Checks are to be made payable to "Village of Shawnee Hills".

**If Code violation orders have been issued, your variance application must be filed with the Code Enforcement Officer not more than twenty (20) days from the date of the certificate of zoning clearance denial, unless an extension is granted by the Code Enforcement Officer.**

# AFFIDAVIT

(See Instructions for Affidavit)

STATE OF OHIO  
COUNTY OF \_\_\_\_\_

APPLICATION No.: \_\_\_\_\_

Being first duly cautioned and sworn, NAME \_\_\_\_\_  
of MAILING ADDRESS \_\_\_\_\_  
deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same, and the following is a list of the names and mailing addresses of all owners of record of the property located at \_\_\_\_\_ (per CERTIFIED ADDRESS FOR PROPERTY), for which the application for a variance or special permit was filed with the Village.

SUBJECT PROPERTY OWNER'S  
NAME AND MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPLICANT'S NAME & PHONE # \_\_\_\_\_  
(Same as listed on front of application) \_\_\_\_\_

And that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all owners of record of property **within 125 feet** of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner also owns the property contiguous to the property which is the subject of this Application:

PROPERTY OWNER NAME	ADDRESS OF PROPERTY	PROPERTY OWNER(S) MAILING ADDRESS

Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT: \_\_\_\_\_

Subscribed to me in my presence and before me this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.

SIGNATURE OF NOTARY PUBLIC: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

(Seal here)

## INSTRUCTIONS FOR AFFIDAVIT

- (1) Affidavit should indicate the name and address of the person who did the research to obtain the list of surrounding property owners from the Map Room. It is important that the person who does the research is the same person who signs the affidavit and has their signature notarized.
- (2) Address of the subject property must be the same as indicated on the certified address for the property as issued by the Delaware County Map Room.
- (3) Location Maps may also be obtained from the Delaware County Map Room.
- (4) Provide a list of the names and complete mailing addresses (including zip code) of the owners of all property located within 125 feet of the property lines of the subject property. This includes properties across the street and in other municipalities and jurisdictions, if appropriate. Also, include the owners of any property within 125 feet of the applicant's property in the event the applicant or the property owner of the subject site owns property contiguous to the subject property.
  - (a) It is the Affiant's responsibility to determine the actual address, including personally visiting the properties if necessary. If a property within the required 125-foot notice area is undeveloped and no address is available, indicate "undeveloped".
  - (b) DO NOT list a mortgage company as a mailing address for the property unless title to the property is held by the mortgage company, thereby making the company the actual property owner. It is the Affiant's responsibility to exercise reasonable diligence to determine the address of the actual property owner. Indicate "unavailable" if the actual property owners address cannot be determined.
- (5) Please submit two (2) label sets (in Avery #5160 format) and 1 master set on paper listing the names and complete addresses of the surrounding property owners, as well as the subject property owner, the Applicant (if different), and any attorney or agent for the Owner/Applicant. The mailing labels are used for public hearing notification and must be machine printed or prepared on a typewriter. No hand-written labels will be accepted. A paper copy of the mailing labels may be used for the list of owners required above in Item 4.
- (6) This form must be signed in the presence of a Notary Public. The Affidavit and list of owners expires 6 months after the date the Affidavit is notarized. If the Affidavit expires while the application is still pending, a new Affidavit with an updated property owner list and label sets will be required to ensure proper notification of all current surrounding property owners.

# ZONING SITE PLAN REVIEW CHECKLIST

## INFORMATION REQUIRED FOR ZONING CLEARANCE APPROVAL

To expedite the Zoning Clearance Process, please contact the Zoning Code Enforcement Officer for an appointment.

Project Address \_\_\_\_\_  
 Date \_\_\_\_\_ Parcel# \_\_\_\_\_

1. To apply for a building permit, fill out the Building Permit Application and submit at least three complete sets of building plans with one site plan attached and ten loose site plans.

2. To apply for a foundation start, fill out a Building Permit Application and submit two (2) complete sets of foundation plans and two (2) additional loose site plans.

3. The following information must be shown on the (Zoning Clearance) Site Plan sheet(s). Note: To the extent possible, exclude non-zoning related information from the zoning site plan sheets.

- A. Site Plan, drawn and plotted to a standard engineering scale. [See Item 5 for additional required details.]
- B. Site location map.
- C. Zoning District of the subject site and adjacent sites.
- D. Total area of the site in square feet, or for residential projects, list the site area in acres and density in units per acre.
- E. Square footage breakdown for each use and the required and provided parking breakdown.
- F. Height of Building(s) and/or structure(s).
- G. Flood designation, map number, and effective date. And, where they occur on the site, show the 100-year flood plain and floodway boundaries, and base flood elevations.
- H. Dumpster screening details.
- I. A note that the proposed project will comply with Dumpster, Landscape, Lighting, Screening, Striping/Marking, Surface, and wheel Stops/Curb Sections of the Zoning Code, noting the corresponding Code Section Numbers for each.
- J. All applicable rezoning limitation text, S-CPD text, and/or variance text printed on Site Plan sheet.
- K. Illustrations of all building facade materials and treatment, landscaping details and/or lighting details required by all applicable Certificate(s) of Appropriateness, rezoning, variance, or other ordinance.
- L. Attach Architectural Review Board approval, if applicable.
- M. For projects within any Planning Overlay Area including a Commercial Overlay area - show how and certify that the proposed project will meet the Overlay requirements.
- N. Engineer's or Architect's seal and signature must

appear on each (Zoning Clearance) Site Plan sheet. Note: For projects affected by rezoning limitation texts or S-CPD texts, the seal and signature must appear under a statement that certifies the building and site plans meet all required text standards.

4. At least the following information must appear on each Site Plan:

- a). North arrow and scale.
- b). Label distance from a site boundary to the nearest street intersection.
- c). Label and dimension right-of-way lines, building setback, property lines, and parking setback lines.
- d). Label and dimension required and proposed side and rear yards.
- e). Label existing and proposed driveway (onsite), off-site adjacent and opposing existing drives (including the land use of the property they serve), aisle and parking space dimensions, and radius or flair for curb cuts.
- f). Label dimensions for loading docks/loading areas and maneuvering area.
- g). Show and label parking lot shade trees to be provided.
- h). Show and label buffer screens when required.
- i). Show and label all fences, indicating height and capacity.
- j). Show wheel stops and/or curbs for parking.
- k). Show stacking and bypass lanes for drive-thru pickups.
- l). Show and label all sidewalks required in public right-of-way.
- m). Show and label all street trees required in public right-of-way.

**NOTE: This checklist outlines the requirements for any site plan submitted for final zoning clearance approval. It should also be used as a guideline for preparing preliminary site plans for any zoning or variance application being submitted to the Village. It is the responsibility of the Applicant to review all applicable Village Code sections which contain site plan items and requirements.**



