

### Checklist/Supplement to Form 12 – Variance Application

Dear Applicant:

It is very important that you complete the attached application accurately, completely, and provide as much detail and information as possible to avoid delays and so the Zoning Board of Appeals can give full consideration to your application. Your hearing **cannot be scheduled** if the required information and supporting documentation is not submitted.

Documentation to be submitted with your application includes but is not limited to:

- Completed and SIGNED application
  - If the applicant is NOT the owner, applicable documentation verifying authorization to act on behalf of the owner
- Copy of the most recently filed deed of the property
- Map or diagram showing the current condition of the property as it exists today (before the proposed changes)
- Map or diagram showing the proposed changes clearly indicating measurements
- Application fee

\*\*\* FOR OFFICIAL USE ONLY \*\*\*

The following documents have been received by the Montville Township Zoning office:

- Completed and SIGNED application
  - If the applicant is NOT the owner, applicable documentation verifying authorization to act on behalf of the owner
- Copy of the most recently filed deed of the property
- Map or diagram showing the current condition of the property as it exists today (before the proposed changes)
- Map or diagram showing the proposed changes clearly indicating measurements
- Application fee

Date Notice Filed with Zoning Inspector: \_\_\_\_\_

Amount of Appeal Fee Paid/Check or cash: \_\_\_\_\_

Date Notice Filed with Board of Zoning Appeals: \_\_\_\_\_

Date of Notice to Parties in Interest: \_\_\_\_\_

Date of Newspaper Notice/Name of Newspaper: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

I hereby acknowledge receipt of this notice of appeal requesting a variance this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of Secretary/Chairman  
Montville Township Board of Zoning Appeals

Print Name: \_\_\_\_\_

**VARIANCE REQUEST - NOTICE OF AN APPEAL  
MONTVILLE TOWNSHIP**

Please complete the following Sections for applicable variance requests. If requesting more than one type of variance, a separate application is needed for each type of variance.

Use Variance: Sections 1, 2, 3, & 6

Area Variance: Sections 1, 2, 4 & 6

Sign Variance: Sections 1, 5 & 6

**SECTION 1: TO BE COMPLETED FOR ALL VARIANCE REQUESTS (AREA, USE & SIGN)**

A. Property Address of the Lot for this application: \_\_\_\_\_ Permanent Parcel # (PPN#)  
\_\_\_\_\_

B. Name of Applicant: \_\_\_\_\_  
Mailing Address of Applicant: \_\_\_\_\_  
Telephone Number of Applicant: \_\_\_\_\_  
Fax Number of Applicant: \_\_\_\_\_  
E-mail Address of Applicant: \_\_\_\_\_

C. Name of Owner of Record (if different on deed): \_\_\_\_\_  
Mailing Address of Owner of Record: \_\_\_\_\_  
Telephone Number of Owner of Record: \_\_\_\_\_  
Fax Number of Owner of Record: \_\_\_\_\_  
E-mail Address of Owner of Record: \_\_\_\_\_

D. Attach the names, addresses, and Permanent Parcel Numbers of all parties in interest from the County Auditor's current tax list (all lots adjacent to and directly across the road from the subject lot). Per Ohio Revised Code, each party in interest (neighbor) will receive notice.

E. Attach documentation as to authority to file notice of appeal (e.g. deed, power of attorney, lease, or purchase agreement). **If the applicant is not the record title owner of the lot, then written evidence shall be required to be submitted that the applicant has the owner's consent to make application.**

F. Attach a copy of the deed and legal description for the lot, as recorded with the Geauga County Recorder.

G. Circle the current zoning district in which the lot is located:

Residential                      Commercial                      Industrial                      Parks

H. Provide a description of the existing use of the lot: \_\_\_\_\_

\_\_\_\_\_

I. Provide a description of the proposed use of the lot: \_\_\_\_\_

\_\_\_\_\_

J. Provide the specific zoning regulations from which a variance is requested:

\_\_\_\_\_

**SECTION 2: FOR AREA AND USE VARIANCE REQUESTS ONLY**

A. Attach two (2) copies of a plan or map, drawn to scale, with a north arrow and date showing the following information:

1. The dimensions (in feet) of all lot lines and the total acreage of the lot.
2. The dimensions and elevations (in feet) of existing buildings or structures on the lot, if any.
3. The setback (in feet) from all lot lines of existing buildings, structures, and uses on the lot, if any.
4. The dimensions and elevations (in feet) of proposed buildings or structures on the lot or of any addition or structural alteration to existing buildings or structures.
5. The total amount of square feet of floor space for each floor of proposed buildings or structures on the lot or of any addition or structural alteration to existing buildings or structures; and, a copy of the floor plan for each floor of the building or structure.
6. The percentage and area (in square feet) of lot coverage by existing and proposed buildings and structures including parking area(s), loading/unloading space(s), and driveway(s).
7. The setback (in feet) from all lot lines of proposed buildings, structures and uses on the lot or of any addition or structural alteration to existing buildings or structures; and, the distance between existing and proposed detached buildings and structures.
8. The height (in feet) of existing buildings or structures on the lot.
9. The height (in feet) of proposed buildings or structures on the lot or of any addition or structural alteration to existing buildings or structures.
10. The name and location of the existing road(s), public and private, adjacent to the lot.
11. The number of dwelling units existing (if any) and proposed for the lot.

12. The location, dimensions (in feet), setbacks from all lot lines, and number of parking spaces existing (if any) and proposed including handicapped parking spaces per Article VI, Section 607.0.
13. The location, dimensions (in feet), and setbacks from all lot lines of driveways existing (if any) and proposed.
14. For nonresidential, commercial, and industrial uses: The location, dimensions (in feet), and number of loading/unloading spaces.
15. The location and dimensions (in feet) of any existing or proposed easements on the lot.
16. The location and description of any existing and proposed landscaping and buffer areas on the lot.
17. The existing topography of the lot, at contours intervals of two (2) feet, and a final grading plan.
18. The location of any exterior lighting poles and fixtures, their maximum lumens and documentation that they are, and will be installed as, full cutoff fixtures.
19. For nonresidential, commercial, and industrial uses: the location and dimensions of any exterior display, sales, storage, and trash receptacle areas on the lot.
20. The location and dimensions of a fire protection pond and dry hydrant, if applicable.

- B. Provide a copy of the driveway culvert pipe permit issued by the appropriate governmental authority; or, if along a state highway, the access permit issued by the Ohio Department of Transportation, if applicable.
- C. Written documentation shall be provided that the appropriate governmental agency has approved the sewage treatment system to serve the proposed use on the affected lot.
- D. Provide a copy of the approval letter or permit, as applicable, from the Geauga Soil and Water Conservation District concerning the stormwater management and erosion control plan.

**SECTION 3: FOR USE VARIANCE REQUESTS ONLY:**

- A. Written justification for the requested use variance shall be made. The unnecessary hardship standard shall apply to a use variance and the factors to be considered include, but are not limited to, the following:
  1. Whether there are conditions that are unique to this lot, and not ordinarily found in the same zone or district? \_\_\_\_\_

2. Did the applicant create these conditions? \_\_\_\_\_  
\_\_\_\_\_
3. Whether the variance would adversely affect the rights of adjacent owners? \_\_\_\_\_  
\_\_\_\_\_
4. Whether the variance would adversely affect the public health, safety or general welfare.  
\_\_\_\_\_
5. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. How? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Whether the requested variance is the minimum action, which would afford relief to the applicant. \_\_\_\_\_  
\_\_\_\_\_
7. What other economically viable use of the lot could be made within this zoning district?  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 4: FOR AREA VARIANCE REQUEST ONLY.**

- A. Written justification for the requested variance shall be made. If the request is for an "area" variance, responses to the following shall be provided. The practical difficulties standard shall apply to an area variance and the factors to be considered include, but not limited to, the following:
1. Whether the lot in question will yield a reasonable return or whether there can be any beneficial use of the lot without the variance. \_\_\_\_\_  
\_\_\_\_\_
  2. Whether the variance is substantial. \_\_\_\_\_  
\_\_\_\_\_
  3. 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. \_\_\_\_\_  
\_\_\_\_\_

4. Whether the variance would adversely affect the delivery of governmental services.

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5. Whether the lot owner purchased the property with the knowledge of the zoning restriction. \_\_\_\_\_

6. Whether the lot owner's predicament feasibly can be obviated through some method other than a variance. \_\_\_\_\_

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7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. \_\_\_\_\_

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**SECTION 5: FOR SIGN VARIANCE REQUESTS ONLY**

A For an appeal requesting a variance to sign regulations, provide the following information:

1. Attach two (2) copies of a drawing, drawn to scale and dated, showing:

a. The dimensions (in feet) of the sign.

b. The area of the sign (per sign face) in square feet.

c. The location of the sign on the building, structure, or lot including dimensions (in feet) from the front and side lot lines.

d. The height (in feet) of the sign.

e. The method of illumination, if any.

f. The dimensions of the lettering and/or the elements of the matter displayed (e.g. a logo, not content).

**SECTION 6: FOR ALL VARIANCE REQUESTS**

In your own words and to better assist the Appeals Board in understanding your proposal, state the exact nature of the variance requested and please provide a detailed summary of your proposal.

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