



HOWLAND TOWNSHIP

Board of Zoning Appeals – Use Variance Application

205 Niles-Cortland Road NE

Warren, Ohio 44484

Phone: (330)856-5223 Fax: (330)609-5148

NOTE: Applicants are encouraged to contact the Zoning Department for assistance and to discuss the Variance processes prior to submitting a formal application.

FOR OFFICE USE ONLY:		
Receipt Number:	Application Number:	BZA Date:
Amount Received:	Date Received:	BZA Action:
Type of Request:		
N, S, E, W (Circle) Side of (Street):		
Approximate Distance to Nearest Intersection:	FEET, N, S, E, W (Circle) from Nearest Intersection (see below)	
Nearest Intersection:	AND	

I. USE VARIANCE STANDARDS (Please read)

Use Variance Standards. Where an appeal requests a use variance, that is, a variance for the approval of a use which is not permitted in the zoning district in which the subject property is located, the following standards shall be considered and weighed in determining whether the granting of a variance is warranted to afford relief of an unnecessary hardship:

- a. The Board shall determine if the use requested is a use which is specifically permitted in one or more zoning districts of the Township. If so, the Board may proceed to determine if the requested use should be permitted by use variance on the subject site. The Board shall not permit by variance a use which is not specifically permitted in a zoning district of the Township.
- b. The Board shall determine if there is an unnecessary hardship imposed upon the property owner by the application of the provisions of this Resolution to the subject property.
- c. The Board shall determine whether the property in question has unique or exceptional circumstances or conditions that do not generally apply to other properties in the vicinity or within the same district and, if such circumstances or conditions exist, whether and how they prevent use of the property in compliance with the applicable provisions of this Resolution. The Board may require the applicant to submit a report prepared by a qualified appraiser addressing these questions and the questions of whether any of the uses permitted in the district may be established on the property in a manner which is economically feasible without the variance and whether the land in question can yield a reasonable return if used only for a purpose allowed in the zoning district.
- d. The Board shall determine whether the hardship condition was created by actions of the applicant, or of any other party having interest in the property, which may include but are not limited to such actions as making physical changes to the property, subdividing or assembling the property, entering into contracts or agreements affecting or restricting use of the property, taking action on abutting or nearby properties within the applicant's control, or otherwise taking action affecting the subject property in a manner which created the hardship.
- e. The Board shall determine whether the subject property is adequate to meet the physical and economic needs and requirements of the proposed use.
- f. The Board shall determine if the requested use variance is the minimum variance which will afford relief to the property owner, including whether an area variance would permit use of the property in compliance with the provisions of this Resolution.
- g. The Board shall determine what impacts the proposed use may have upon the properties and neighborhood surrounding the subject property, whether the essential character of the neighborhood will be substantially altered, and whether the adjoining properties will suffer interference with their proper future development and rights as a result of the variance. The Board may

consider any features of a proposed development plan for the subject property which may mitigate negative impacts, effects on neighborhood character, and interference with future development and rights of adjoining properties.

- h. The Board shall consider whether the circumstances of the subject property are such that the hardship may be more appropriately addressed by application for a change in the zoning district or in the regulations applicable to the subject property.
- i. The Board shall determine whether the spirit and intent of the Zoning Resolution will be observed and substantial justice done by granting the variance.
- j. Variance Conditions and Safeguards. In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards which are reasonably related to the requested variance in conformity with this Resolution and in furtherance of the purposes and intent of this Resolution. Violations of conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Resolution.
- k. Time Limitation. A variance shall be void one (1) year after the date granted by the Board unless a Zoning Certificate has been issued and the construction or alteration or use of affected property has commenced.

II. NATURE OF THE VARIANCE: *Please attach additional sheets, if necessary.*

Please describe the variance(s) requested:

III. PROPERTY INFORMATION: *This section MUST be completed.*

Property Address:

Tax/Parcel ID Number:

Parcel Size (Acres):

IV. PLEASE SUBMIT THE FOLLOWING: *Please submit all plans in small scaled (11x17 or legal) format.*

- ONE (1) ORIGINAL SIGNED AND NOTARIZED APPLICATION AND ONE DIGITAL COPY.**
- A LEGAL DESCRIPTION OF THE PROPERTY.**
- A TAX PARCEL ID MAP** indicating surrounding property owners and parcel numbers for parcels within **150 feet** of the site. These must be acquired from the Trumbull County Auditor's Office.
- A SCALED SITE/STAKING PLAN, SHOWING:**
 - a. North arrow and bar scale.
 - b. Location, size and dimensions of all existing and proposed conditions and structures (significant natural features, landscaping, structures, additions, decks, access ways, parking).
 - c. Property lines and dimensions of the lot.
 - d. Size of the site in acres/square feet.
 - e. All setbacks, street centerlines, rights-of-way, easements, and other information related to the site.
 - f. Location, number, length, width and surface of all existing and proposed parking spaces (if applicable).
- SCALED, ARCHITECTURAL ELEVATION (IF APPLICABLE)** with proposed materials noted.

<input type="checkbox"/> FOR SIGNS, SCALED DRAWINGS INDICATING: <ol style="list-style-type: none"> a. Location of signs and sign type (wall, ground, or window) b. Sign dimensions, including letter sizes and proposed distance from sign to grade. c. Materials and manufacturer to be used in fabrication. d. Total area of sign face (including frame and excluding frame). e. Type of illumination.
<input type="checkbox"/> FILING AND PUBLIC NOTIFICATION FEE. See Howland Township fee schedule for listing. The applicant shall also be responsible for Public Notification costs incurred by the Township.

V. CONTIGUOUS PROPERTY OWNERS: *Please attach additional sheets, if necessary.*

The *Ohio Revised Code* requires notification to surrounding property owners of pending applications under public review. Please list neighboring property owners within **150 feet** of the perimeter of the property. Information must be in accordance with the Trumbull County Auditor's current tax list. The Trumbull County Auditor can be reached via phone at (330) 675-2420. Electronic lists are encouraged.

PROPERTY OWNER <small>(not Mortgage Company or Tax Service)</small>	MAILING ADDRESS	CITY, STATE, ZIP CODE

VI. PROPERTY OWNER: *This section MUST be completed.*

Current Property Owner:	
Mailing Address (Street, City, State, Zip Code):	
Phone Number:	Fax Number:
E-mail or Alternate Contact Information:	

VII. REPRESENTATIVE(S) OF OWNER: *Please complete, if applicable. Attach sheets for additional representatives.*

Representative (Tenant, Contractor, Architect, etc.):	
Mailing Address (Street, City, State, Zip Code):	
Phone Number:	Fax Number:
E-mail or Alternate Contact Information:	

VIII. AUTHORIZATION TO VISIT PROPERTY: Site visits to the property by Township representatives are essential to process this application. The Owner, as notarized below, hereby authorizes Township representatives to visit, photograph, and post a notice on the property described in this application.

IX. AUTHORIZATION FOR OWNER REPRESENTATIVE: *Please complete and notarize, if applicable. Attach sheets for additional representatives.*

I/We, _____, the owner(s), hereby authorize _____ to act as my/our representative in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.	
Signature of Current Property Owner:	Date:

Subscribed and sworn to before me this _____ day of _____, 20_____
 State of _____ Notary Public
 County of _____

X. APPLICANT'S AFFIDAVIT: *This section MUST be completed and notarized.*

I/We, _____, the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits, and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.	
Signature of Current Property Owner:	Date:

Subscribed and sworn to before me this _____ day of _____, 20_____
 State of _____ Notary Public
 County of _____