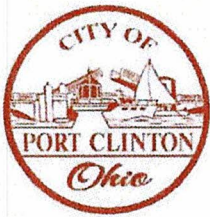


Fee: \$150.00



Application for Variance

City of Port Clinton, Ohio
1868 E. Perry Street
Port Clinton, Ohio 43452

I hereby appeal to the Board of Zoning Appeals for the following variance:

Accompanying this application are the plans, sketches and other materials for the proper disposition of this case for the property located at:

Street Address

Date: _____

Appellant

Address

Date Application Filed: _____

Fee Paid \$ _____ Date of Hearing: _____

Decision of Board of Appeals: _____

Date of Decision of Board of Appeals: _____

Attest:

Board of Zoning Appeals

Secretary

by: _____
Chairman

Applicant: _____

**Proposed structure is not being used
in a permitted location**

Application #: _____

CITY OF PORT CLINTON PLANNING COMMISSION
USE VARIANCE FINDINGS OF FACT

The factors or standards to be considered and weighed for an area variance include, but are not limited to the following:

1. The property in question [has/has no] other economically viable uses which are permitted in the zoning district without the variance.

2. Whether variance sought [is/is not] the minimum which will afford relief to the applicant.

3. The essential character of the neighborhood [would/would not] be substantially altered and/or adjoining properties [would/would not] suffer interference with their proper future development and rights as a result of the variance because

4. The variance [would/would not] adversely affect the delivery of governmental services (for example: water, sewer, garbage, etc.).

5. The hardship condition [is/is not] created by actions of the applicant.

6. The property in question [has/has no] unique or exceptional circumstances or conditions such as [topographical conditions/geological conditions/type of adjoining development(s) other conditions _____], that do not apply to other property within the same zone and a variance [would/would not] be justified on any lot where similar circumstances prevail.

Applicant: _____
**Proposed structure is not being used
in a permitted location**
Application #: _____

7. The purpose, intent and objectives of the Zoning Code [would/would not] be observed and the public health, safety or general welfare [would/would not] be adversely affected by granting the variance because:

DECISION

Moved to Approve/Deny by _____

Seconded by: _____

Vote: _____

It is therefore the decision of the City of Port Clinton Planning Commission that this area variance petition is approved/denied.

Adopted this _____ day of _____, 20__.

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

CONDITIONS ON VARIANCE

Applicant: _____

**Proposed structure is not being used
in a permitted location**

Application #: _____

Conditions accepted by:

Applicant's signature

Applicant: _____

Pertaining to Setbacks

Application #: _____

CITY OF PORT CLINTON PLANNING COMMISSION
AREA VARIANCE FINDINGS OF FACT

The factors or standards to be considered and weighed for an area variance include, but are not limited to the following:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property 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 (for example: water, sewer, garbage, etc.).

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

6. Whether the property owner's predicament feasibly can be prevented through some method other than a variance.

Applicant: _____
Pertaining to Setbacks
Application #: _____

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

DECISION

Moved to Approve/Deny by _____

Seconded by: _____

Vote: _____

It is therefore the decision of the City of Port Clinton Planning Commission that this area variance petition is approved/denied.

Adopted this _____ day of _____, 20__.

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____

CONDITIONS ON VARIANCE

Conditions accepted by:

Applicant's signature

1309.10 REQUEST FOR VARIANCE.

(a) Application for Variance. An application for a variance may be taken by any property owner, including a tenant, from the provisions and requirements of this chapter. The application shall be to the Board of Zoning Appeals (hereinafter referred to as the Board). The application shall be filed with the Administrative office of the Board, who shall transmit the same to the Board. A fee as established by Council shall accompany any application for a variance.

(b) Variance by Board. No variance shall be granted unless the board finds that all of the following facts and conditions exist:

(1) That special circumstances or conditions apply to the subject property that do not apply generally to other properties in the same zoning district.

(2) That the special circumstances or conditions are not the result of the actions of the property owner or applicant.

(3) That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.

(4) That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Chapter.

Factors or standards to be considered and weighed for an area variance include, but are not limited to the following:

(1) Whether the variance is substantial.

(2) 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.

(3) Whether the variance would adversely affect the delivery of governmental services.

(4) Whether the property owner's predicament feasibly can be prevented through some method other than a variance.

(5) Whether the spirit and intent behind the fence regulations would be observed and substantial justice done by granting the variance.

(c) In granting a variance, the board, may impose such requirements and conditions regarding the location, character and other features of the proposed fence structure as the board deems necessary to carry out the intent and purpose of the fence regulations and to otherwise safeguard the public safety and welfare. (Ord. 33-05. Passed 11-8-05.)