

Liverpool Township Zoning

6801 School Street
Valley City, Ohio 44280
www.liverpooltwp.org

Application For A Zoning Variance

To The Applicant:

Please complete the attached application for a variance, which will then be presented to the Board of Zoning Appeals for scheduling of a public hearing at which a decision will be rendered. A hearing will be advertised and any and all property owners directly adjacent to the property in question will receive notice of the hearing and will also have an opportunity to have their input heard before the Board of Zoning Appeals (BZA). The fee for a variance is \$350.00. Please make checks payable to Liverpool Township.

Please make sure the application is completed in all sections and use any additional pages necessary to be complete and clear on your variance request. Be sure to indicate what type of construction is to be done if applicable, whether you are submitting for a use variance (i.e. a use not allowed in that district) or an area variance (i.e. lot size requirement or setback requirement), and submit drawings, pictures and any other documentation or visual aids that will be helpful to the BZA in rendering their decision.

The burden of proof for a variance is on the applicant to convince the BZA that there is a hardship and need a variance from the zoning resolution. Please keep in mind "I don't want to" or "I have a personal financial hardship" is not a reason for the BZA to grant a variance. Each variance is considered independently from others either granted or denied within the township and must stand on its own merit before the BZA. On the next page is the list of the (7) Duncan Factors that the BZA considers when making a decision on a variance.

The Medina County Prosecutor has advised the township that an attorney must be present at any public hearing involving a corporation. Please make sure that on any and all meeting dates you have legal counsel present.

We need the applicant to provide 10 copies of all supporting documents, maps, pictures, etc. when making application in the zoning office. We will make copies of the application since it will need other information added to it before it is forwarded to the Board of Zoning Appeals.

DUNCAN FACTORS

1. Whether the property 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 would be substantially altered or adjoining properties suffer a "substantial detriment".
4. Whether the variance would adversely affect the delivery of governmental services.
5. Whether the property owner purchased the property with the knowledge of the zoning restrictions.
6. Whether the problem can be solved by some manner other than the granting of a variance.
7. Whether the variance preserves the "spirit and intent" of the zoning requirement and whether "substantial justice" would be done by granting the variance.

(Complete Application and Return with the Fee)

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Date of Application _____ Variance Number _____

Ten (10) Copies of Supporting Documents Required (i.e., maps, pictures, drawings, etc.)

The undersigned owner(s) of the following legally described property hereby request the consideration of change from the zoning regulations as specified below:

Name of Applicant _____

Home Phone _____ Cell Phone _____ Email _____

Mailing Address _____

Name of Owner _____ Phone _____

Property Address _____

Property Parcel Number _____

Present Zoning District _____ Previous Variance Requests _____

Variation Requested (Include Section Number of Zoning Resolution), reason(s), and what is to be constructed if applicable: Check One: Area Variance () Use Variance ()

(Use Additional Sheets If Necessary)

Would rezoning of this property make a variance unnecessary? _____
(If yes, the Board shall disapprove the application)

How will strict application of the provisions of the resolution result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the resolution?

(Use Additional Sheets If Necessary)

What are the exceptional or extraordinary circumstances of conditions applying to the property or use involved that do not apply generally to others in the same district?

(Use Additional Sheets If Necessary)

Why will the granting of the variance not be a substantial detriment to the public interest or to property or improvements in such district and will not materially impair the purpose of the resolution?

(Use Additional Sheets If Necessary)

Applicant's Signature _____ Date _____

****No Fees Refunded After Recording by the Fiscal Officer****

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(Office Use Do Not Write Below This Line)

Fee _____ Cash _____ Check# _____

Zoning Inspector Signature _____ Date _____