

APPLICATION FILING FOR ZONING BOARD OF APPEALS USE VARIANCE

REQUIREMENTS:

1. Completed Application Form
2. Completed Authorization for Access
3. A written narrative addressing each of the Factors Used to Determine Unnecessary Hardship of a Use Variance (Code Section 1217.07 (b)(2)). Such hardship must be demonstrated by clear and convincing evidence that **all of the criteria are satisfied**
4. Application fee of \$50.00 (make check payable to the City of Avon Lake)

APPLICATION FORM

City of Avon Lake --- Zoning Board of Appeals

Please Note: APPLICANT MUST BE THE OWNER OF RECORD OF THE SUBJECT PROPERTY IN THIS REQUEST OR THE APPLICANT MUST SUBMIT WRITTEN AUTHORIZATION FROM THE LEGAL PRPOERTY OWNER AT THE TIME APPLICATION IS SUBMITTED.

OWNER / AUTHORIZED APPLICANT MUST APPEAR AT THE BOARD MEETING.

Property Owner's Name: _____

Address: _____

Telephone: _____

Email address: _____

Applicant's Name: _____

Company: _____

Address: _____

Telephone: _____

Email Address: _____

LOCATION OF PROPERTY

Property Address: _____

Permanent Parcel Number: 04-00-_____-_____-_____-_____ Zoning District: _____

PRESENT USE: _____

PROPOSED USE: _____

Applicant's Signature: _____ Date: _____

AUTHORIZATION FOR PROPERTY ACCESS

By signing this form, I authorize members of the City's Zoning Department and Zoning Board of Appeals access to the subject property for the limited purposes of photographing and/or viewing the area affected by the variance requested in this application and verification of project dimensions.

Signature: _____ **Date:** _____

Any dog(s) on property? _____ **YES** _____ **NO**

Please Print or Type: _____

Applicant / Agent Name: _____

Property Address: _____

Daytime Phone Number _____

Factors Used to Determine Practical Difficulty of a Use Variance

Code Section 1217.07 (b)(2) A use variance would require the applicant to demonstrate that the applicant will suffer unnecessary hardship if strict compliance with the terms of the Code is required and such hardship must be demonstrated by clear and convincing evidence that all of the following criteria are satisfied. The following factors are used to determine unnecessary hardship:

A. The property cannot be put to any economically viable use under any of the permitted uses in the Zoning District.

B. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district.

C. The hardship condition is not created by actions of the applicant.

D. The granting of the variance will not adversely affect the rights of adjacent property owners or residents.

E. The granting of the variance will not adversely affect the public health, safety or general welfare.

F. The variance will be consistent with the general spirit and intent of the Code.

G. The variance sought is the minimum which will afford relief to the applicant.

As part of your submittal, please respond in writing to each factor as it pertains to your variance request. It is important to be as thorough and detailed as possible.