

Procedural Outline for Applicants (Variances or Conditional Use Permits)

1. Decide which permit is best suited to your needs.
 - a) Area Variance (Residential or Commercial Property)
 - b) Use Variance (Commercial Only)
 - c) Conditional Use Permit (Commercial Only)
(See definitions/explanations)

2. Definitions / Explanations:

Area Variance is normally utilized for conditions peculiar to the property that hinders construction or development to the strict standard of the zoning code. Issues such as front, side or rear setbacks are common examples of when an Area variance is requested.

Use Variance is a request to allow the use of property for other than the permitted use stated in the zoning code for the district the property is located in. Residential property is excluded from the ability to achieve a Use variance.

Conditional Use Permit is a request for a renewable, bi annual permit to use land or buildings, or portions of either for uses not consistent with the zoning code permitted use for the district the property or building is located in. The board may impose conditions that must be adhered to, to keep the permit in force. Residential property is excluded from receiving Conditional Use Permits.

3. Once you have decided which permit or variance best suits your needs, an application must be filled out and a fee paid to schedule a meeting, or hearing before the BZA, Planning Commission, or both.
4. Each application should be accompanied by a letter of explanation so the members of the Board or Commission fully understand your request. Be specific and fully describe, in detail, what your goal is.
5. Variance and Conditional use applications also require supplemental information questionnaires to be filled out.

Answer each question as fully as possible and provide documentation, if applicable, to substantiate your answer.

6. Use, Area and Conditional Use applications require plans of the property, building, lot, etc. to illustrate where and what your intent of the request represents.

7. Applications, Plans and documentation and fees, must be submitted 14 days in advance of the scheduled meeting.

- **BZA** meets every 3rd Tuesday of the month
- **Planning Commission** meets every 3rd Thursday of the month (workshop)
- **Planning Commission** meets every 1st Monday of the month (vote taken)

If there is applications to be considered, date, time & location are subject to change. Call the Building department to confirm.

8. Our zoning codes and ordinances can be accessed on-line at www.mayfieldvillage.com for your use.

Applications are also available on our website. To access, click;

- Services tab
- Building Department
- Permits/Forms

Minutes of past meetings are also available on our website. To access, click;

- Government tab
- Commissions & Boards

(Reading minutes from past meetings may assist you in getting a feel for how the procedures are undertaken).

9. Plans can be preliminary but should illustrate sufficient detail to avoid resubmission due to lack of information being presented.

10. Board Actions

- a) **Area Variances** require a hearing before the Board of Zoning Appeals only. Usually one meeting would be sufficient to receive a variance.
- b) **Use Variances** is a new procedure requiring Board of Zoning, Planning Commission and Village Council approvals.

First the Board of Zoning Appeals will examine documentation, as outlined in the required questionnaire.

The Board could grant or deny the request. An approval would move the request to the next step, to Council for review and referral to the Planning Commission for a report and recommendation.

At the Planning Commission hearing, similar information would be presented for the Boards' approval. Planning Commissions findings are sent back to Council and legislation is prepared adopting the variance.

Three Readings of Council are req'd with a Public Hearing prior to the Third Reading.

With no objection, the Use variance becomes effective after 30 days of adoption by Council with the Mayor's signature.

- c) **Conditional Use Permit** requests must be presented to the Planning Commission for approval.

The Board will hear requests, review plans, questionnaires, and approve, disapprove or modify with conditions, the applicants request.

One hearing and one vote meeting usually take place, to move the request forward for Village Council confirmation.