



Board of Zoning Appeals Application

Application Date:

Meeting Date:

B.O.A. Application Fee: \$50 + 3% State Fee

Pursuant to the Village of Mayfield Charter and Zoning Code, the undersigned hereby submits attached information and requests a hearing before the Board of Zoning Appeals for the following purposes:

- (Please Check Request) **AREA VARIANCE** **NON-CONFORMING USE**
- USE VARIANCE** **OTHER APPEAL**

Owner

Representative at Hearing (if different than Owner)

Name: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

Name: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

Nature of Request (e.g., side yard setback variance)	Code Section	Description
1.		
2.		
3.		

NOTE: A narrative is required with this application. When applying for an “area” variance, the attached supplemental information demonstrating “PRACTICAL DIFFICULTY” is required. When applying for a “use” variance, the attached supplemental information demonstrating an “UNNECESSARY HARDSHIP” is required. (MVC0 1105.02.)

Also see the Procedural Outline for Applicants for further information and instructions.

APPLICANT’S
SIGNATURE: _____

PROPERTY OWNER’S
SIGNATURE: _____

DATE: _____

DATE: _____

BOARD OF ZONING APPEALS

Area Variance Application Supplemental Information

Application for property located at:

“Area” Variances from the terms of the Code shall not be granted by the Board of Zoning Appeals unless the *“evidence demonstrates that the literal enforcement of this Planning and Zoning Code will result in practical difficulty.”*

In determining “practical difficulty”, the Board of Zoning Appeals will consider the following factors:

1. Will the property in question yield a reasonable return or can there be any economical beneficial use of the property without the variance? Please include in your answer why the variance is required in order to be able to improve the property.

2. Is the variance substantial and is it the minimum necessary to make possible the economically reasonable use of the land or structures? Please include in your answer whether you are requesting the smallest variance for the particular project.

3. Would the essential character of the neighborhood be substantially altered or would adjoining properties suffer substantial detriment as a result of the variance? Please include in your answer how the character of the neighborhood will change if the variance is granted.

4. Would the variance adversely affect the delivery of governmental services, such as emergency services, water, sewer, or trash pickup? Please include in your answer how the delivery of these services will continue or be changed if the variance is granted.

5. Did the property owner purchase the property with knowledge of the zoning restriction? Please include in your answer a statement as to whether or not the zoning restriction was in effect when the property was purchased.

6. Can the property owner’s predicament feasibly be obviated through some method other than a variance? Please include in your answer whether or not the project can be changed in order to not require a variance.

7. Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting a variance? Please include in your answer why the purpose of the zoning code, to protect the health, safety and welfare of the residents, will continue if the variance is granted.

8. Do special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district? Please include in your answer any conditions such as if the property is shaped differently than surrounding properties or has different topography than surrounding properties.

SIGNATURE _____ DATE _____

BOARD OF ZONING APPEALS

Use Variance Application Supplemental Information

Application for property located at:

“Use” Variances from the terms of the Code shall not be granted by the Board of Zoning Appeals unless the *“evidence demonstrates that the literal enforcement of this Planning and Zoning Code will result in an unnecessary hardship.”* Use variances are not permitted if the property is located in a residential district.

In determining “unnecessary hardship”, the Board of Zoning Appeals will consider the following factors:

1. Did the property owner purchase the property with knowledge of the zoning restriction? Please include in your answer a statement as to whether or not the zoning restriction was in effect when the property was purchased.

2. If the property owner purchased the property with knowledge of the zoning restrictions, has there been a change in conditions on adjacent property that creates a hardship? Please include in your answer whether or not the surrounding uses have changed since the purchase of the property.

3. What unique characteristics of the property justify the granting of the variance? Please include in your answer any differences in the property from surrounding properties.

4. Is there no economically feasible use of the property without the granting of the variance? Please include in your answer why the property cannot be used without the granting of the variance.

5. Is the property unsuitable for any of the uses permitted by the zoning code? Please include in your answer what the property can be used for under the zoning code.

6. Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting a variance? Please include in your answer why the purpose of the zoning code, to protect the health, safety, and welfare of the residents, will continue if the variance is granted.

SIGNATURE _____ DATE _____