



4350 SOM Center Road
Moreland Hills, Ohio 44022

Board of Zoning Appeals Application

Meeting Dates: The First Monday of Every Month @ 6:00pm
Submission Deadline: Three Weeks Prior to the Meeting Date, by 1 pm
Submission Requirements: (3) Sets of 11x17 (or smaller) Paper Plans for Small Projects
or
(3) Sets of Full Size (12x24 or larger) Paper Plans for Large Projects *and* PDF/digital plans either provided on disk or e-mailed to building@morelandhills.com
Application Fee: \$250.00

Pursuant to the Village of Moreland Hills 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 **APPEAL**

Site Address: _____

Zoning District: _____

OWNER

REPRESENTATIVE AT HEARING

(If different than owner):

Name: _____

Name: _____

Address: _____

Address: _____

Phone: _____

Phone: _____

Fax: _____

Fax: _____

E-Mail: _____

E-Mail: _____

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

A narrative is required with the application when applying for an area variance, demonstrating **PRACTICAL DIFFICULTY** per Section 1131.17(c) and/or when applying for a use variance, demonstrating **UNNECESSARY HARDSHIP** per Section 1131.21(d). (See next page)

Applicant's Signature _____

Date _____

Property Owner Signature _____

Date _____

Board of Zoning Appeals
Area Variance Application Supplemental Information

Application for property located at: _____

Variations 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. 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? _____

2. Will the property in question yield a reasonable return or can there be any beneficial use of the property without the variance? _____

3. Is the variance substantial and is it the minimum necessary to make possible the reasonable use of the land or structures? _____

4. Would the essential character of the neighborhood be substantially altered or would adjoining properties suffer substantial detriment as a result of the variance? _____

5. Would the variance adversely affect the delivery of governmental services, such as water, sewer, or trash pickup? _____

6. Did the property owner purchase the property with knowledge of the zoning restrictions? _____

7. Do special conditions or circumstances exist as a result of the actions of the owner? _____

8. Can the property owner’s predicament feasibly be obviated through some method other than a variance? _____

9. Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting a variance? _____

10. Will the granting of the variance requested confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district: _____

11. Would a literal interpretation of the provision of this Code deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code? _____

Signature _____

Date _____

Board of Zoning Appeals
Use Variance Application Supplemental Information

Application for property located at: _____

Variations from the terms of the Code shall not be granted unless the Board of Zoning Appeals and the Village Council “*determine that strict compliance with the terms of this Code will result in unnecessary hardship to the applicant.*”

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

1. Does the variance requested stem from a condition that is unique to the property at issue and not ordinarily found in the same zone or district _____

2. Will the granting of the variance have any material adverse effect on the right of adjacent property owners or residents? _____

3. Will the granting of the variance have any material adverse effects on the public health, safety or general welfare of the Village of Moreland Hills? _____

4. Will the variance be consistent with the general spirit and intent of the Code? _____

5. Is the variance sought the minimum that will afford relief to the applicant? _____

In addition to the foregoing, pursuant to Section 1131.21(d)(2), the applicant may submit evidence and the Board of Zoning Appeals may also consider:

1. Whether the property cannot be put to any economically viable use under any of the permitted uses in the zoning district in which the property is located; and,
2. Whether, and the extent to which (if applicable), the hardship condition is not created by actions of the applicant.

Signature _____

Date _____