

**BOARD OF ZONING APPEALS
CITY OF NORWALK, OHIO**

In the matter of:

Application No.: _____

APPLICATION FOR VARIANCE

Norwalk Codified Ordinance, Section 1137.02(A)

1. NAME ADDRESS, AND PHONE NUMBER OF APPLICANT N.C.O. 1137.02(A)(1)

Name: _____
Last First MI

Address: _____
Street

Address 2 (including unit #)

City State Zip

(_____)
Phone

2. LEGAL DESCRIPTION OF PROPERTY N.C.O. 1137.02(A)(2)

A legal description must be obtained and attached to this Application for a Variance. A variance from the terms of the Zoning Ordinances shall not be granted by the Board of Zoning Appeals unless a complete application is received by the Board.

In addition to the legal description, include the mailing address of the property:

3. DESCRIPTION OF NATURE OF VARIANCE REQUESTED N.C.O. 1137.02(A)(3)

4. A LIST OF ALL PROPERTY OWNERS AND THEIR ADDRESSES WHO ARE WITHIN, CONTIGUOUS TO, OR DIRECTLY ACROSS THE STREET AND MAY HAVE AN INTEREST IN THE VARIANCE.

N.C.O. 1137.02(A)(4) The owners of all properties lying within 300 feet of any part of the exterior boundaries of said property and their addresses are as follows: (attach additional sheets if necessary)

_____	_____
Name	Address
_____	_____
Name	Address
_____	_____
Name	Address
_____	_____
Name	Address
_____	_____
Name	Address

5. A NARRATIVE STATEMENT DEMONSTRATING THAT THE REQUESTED VARIANCE CONFORMS TO THE FOLLOWING STANDARDS: (N.C.O. 1137.02(A)(5))

- a. DEMONSTRATE SPECIAL CONDITIONS AND CIRCUMSTANCES THAT EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE, OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME DISTRICT.

- b. EXPLAIN WHY A LITERAL INTERPRETATION OF THE PROVISIONS OF THE CITY OF NORWALK ZONING ORDINANCES WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME DISTRICT.

- c. DO THE SPECIAL CONDITIONS AND CIRCUMSTANCES EXPLAINED ABOVE RESULT FROM THE ACTIONS OF THE APPLICANT? WHY?

- d. WILL THE GRANTING OF THIS VARIANCE CONFER ON THE APPLICANT ANY SPECIAL PRIVILEGE THAT IS DENIED BY THIS ORDINANCE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME DISTRICT? WHY?

6. SKETCH

The Applicant must submit a sketch (scaled drawing is not necessary) of the area in question showing (a) shape and dimension of the lot, with existing buildings and accessory buildings, (b) lines within which proposed building are to be erected or altered, (c) existing and intended use of each building, (d) number of families or house-keeping units that the buildings are designed to accommodate, and (e) any other information with regard to the lot or neighboring lots which applicant feels will further clarify his/her request and provide for the proper hearing.

7. ADDITIONAL INFORMATION

Please explain any additional information applicant would like the board to consider as it evaluates application.

8. TERMS

The Board of Zoning Appeals may authorize a variance from the terms of this Ordinance which shall not be contrary to the public interest and where owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship. A variance shall not be granted unless the Board makes a specific finding based directly on the particular evidence presented to it which supports conclusions that the standards and conditions imposed by this Section have been met by the applicant. No variance shall be granted which will alter the character and use of a zoning district or to correct an error of judgment in zoning laws. N.C.O. 1137.02

Except as otherwise permitted, a variance from the terms of the Zoning Ordinance shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals. N.C.O. 1137.02(A)

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Ordinance in the district involved or any use expressly or by implication prohibited by the terms of this Ordinance in said district. In granting any appeal or variance, the Board of Zoning Appeal may prescribe any appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the appeal or variance has been granted, shall be deemed a violation and punishable under Section 1133.016 of this Ordinance. N.C.O. 1137.03(D)

The undersigned hereby applies for permission for the variance as described above in accordance with plans, application, and all data attached heretofore filed with the Zoning Inspector, all of which as hereto attached and made a part of this application.

No previous application or appeal under the City of Norwalk, Ohio, Zoning Ordinance has been made by me affecting these premises. I hereby depose and say that all the above statements contained in all the exhibits transmitted herewith are true.

Each application shall be accompanied by a check payable to the City of Norwalk, or a cash payment in the amount of one-hundred dollars (\$100), plus the postage cost for every property owner within 300 feet of the property requesting the variance, to cover the costs of all publishing, posting and/or mailing notices of hearings. Make checks payable to: CITY OF NORWALK

Once complete, the Application, Legal Description, Sketch, and Application fee shall be submitted to the Zoning Inspector and/or the Clerk to the Board of Zoning Appeals, City Hall, 38 Whittlesey Ave., P.O. Box 38, Norwalk, Ohio 44857

**Questions: Clerk to the Board of Zoning Appeals (419) 663-6760
Building & Zoning Officer (419) 663-6783**

SIGNED

Applicant

Date

NOTARY

STATE OF OHIO :
: ss
COUNTY OF HURON :

On this _____ day of _____, _____, before me, a notary public, personally appeared _____, proved to me on the basis of satisfactory evidence to the person(s) whose name(s) was/were subscribed to the within instrument, and acknowledge that he/she/they signed his/her/their name(s) for the uses and purposes set forth therein.

Witness my hand and official seal.

[SEAL]

Notary Public, State of Ohio
My commission expires _____

INTERNAL USE ONLY

Application fee: Amount: _____ **Date:** _____ **Check/Receipt Number:** _____

Legal Description Attached: Y N

Sketch Attached Y N

Completed Application: Date: _____

Other: