

## **VARIANCE PROCEDURES**

### **BY APPLICANT**

- Submit all filing requirements to the Building Department at least 15 days prior to the regular Planning Commission meeting at which the review is to be held.

All required information must be received before the application will be placed on a Planning and Zoning Commission meeting agenda.

### **GENERAL FILING REQUIREMENTS**

- 1) Completed application for Variance
- 2) Cash fee of \$675.00
- 3) Legal description of property
- 4) Completed Acknowledgement of Responsibility form
- 5) Completed Affirmation of Sufficient Interest form
- 6) A narrative explaining the purpose of the request, the exact nature of the variance, and the justification for the request
- 7) Names and addresses of the owners of property within five hundred feet (500 ft) of the property, certified by the Cuyahoga County Auditor.
- 8) Depending on the variance requested, the following may be required:
  - a) 8 folded copies of a Site Plan indicating all information as listed on the attached "Variance Requirements"
  - b) 8 folded copies of the Sign Plan, if applicable
  - c) 8 folded copies of any other appropriate plans or drawings
- 9) One set (8½" X 11") paper copies of all documents listed in #8 above

## **BY VILLAGE STAFF**

- Public hearing notice published at least ten (10) days before the Planning Commission meeting at which time the item will be heard.
- Notice sent to area residents within a radius of at least 500 feet.
- Variance request placed on Planning and Zoning Commission agenda for review.
- Staff report prepared recommending either approval OR denial and forwarded to Planning Commission 3 days prior to hearing; copy sent to applicant.
- Planning and Zoning Commission reviews request and sends recommendation to Village Council.
- Request placed on succeeding Village Council agenda, with staff report and recommendations and Planning Commission recommendations noted.
- Village Council acts on request, either approving, approving with stipulations OR denying.
- If approved, the Village Council shall adopt the appropriate resolution granting the variance.
- Department notifies applicant in writing of Village Council decision.
- The date of adoption by the Village Council becomes the effective date of the variance.

## Planning and Zoning Variance Application

In compliance with the Village of Woodmere Zoning Ordinance, you are required to submit the following:

Variance application Fee:	\$150.00
Sign / Publication Cost:	\$ 25.00
Examination Deposit	\$500.00
<b>TOTAL DUE:</b>	<b>\$675.00</b>

**VILLAGE OF WOODMERE**  
**VARIANCE APPLICATION**

APPLICANT: \_\_\_\_\_ OWNER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ ADDRESS: \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

Address Of the property \_\_\_\_\_

Present zoning of property \_\_\_\_\_ Permanent Parcel Number \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Please attach a plat with site plan also include a typed metes and bounds legal description of the property:

Description of the Variance Request, also list Zoning Ordinance Section number:

\_\_\_\_\_  
\_\_\_\_\_

1. This application is a request for the following action by the Planning and Zoning Commission:

\_\_\_/ Grant variance from the provisions of the Village of Woodmere Zoning Ordinance

\_\_\_/ Grant variance from the provisions of the Village of Woodmere Sign Ordinance

2. The following ordinance requirements are the subject of the request for variance:

\_\_\_/ Front Yard Setback \_\_\_/ Height of Structure

\_\_\_/ Rear Yard Setback \_\_\_/ Placement of Structure

\_\_\_/ Side Yard Setback \_\_\_/ Size of Structure

\_\_\_/ Area Requirements \_\_\_/ Off-street Parking

\_\_\_/ Other: Explain:

\_\_\_\_\_  
\_\_\_\_\_

3. The following circumstances, including dimensional information, are part of the basis for this request for variance:

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4. The following characteristics of the property, including dimensions, are part of the basis for this request for variance:

\_\_\_/ Too Narrow \_\_\_/ Slope

\_\_\_/ Too Shallow \_\_\_/ Elevation

\_\_\_/ Too Small \_\_\_/ Soil

\_\_\_/ Shape \_\_\_/ Subsurface

\_\_\_/ Other: Explain

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5. The applicant must answer the following questions in order to assist the Planning and Zoning Commission in determining if a practical difficulty or unnecessary hardship exists.

a. Can the property be used in conformance with the Zoning Ordinance without the variance?

\_\_\_/ YES \_\_\_/ NO

If NO, explain:

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b. Does the basis for this requested variance result from an action self-created by the applicant?

\_\_\_/ YES \_\_\_/ NO

If YES, explain:

c. Does the basis for this requested variance result from other human-created action?

\_\_\_/ YES \_\_\_/ NO

If YES, explain:

d. Will enforcement of the provision of the ordinance deny a use which otherwise is permitted?

\_\_\_/ YES \_\_\_/ NO

If YES, explain:

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e. Is the basis for this requested variance a result of circumstances or conditions unique to the property and not common to other properties in the immediate area?

\_\_\_/ YES \_\_\_/ NO

If YES, explain:

f. If the requested variance were granted, would the essential character of the immediate area be altered?

\_\_\_/ YES \_\_\_/ NO

If YES, explain:

g. If the requested variance were granted, would it contradict the intent and purpose of the ordinance?

\_\_\_/ YES \_\_\_/ NO

It is understood that approval of this application by the Village Council only assures the applicant that the use is in compliance with zoning requirements of the Village of Woodmere, and does not in any way affect any private covenants or restrictions which may have been placed on the property at any previous time.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

Notary: \_\_\_\_\_

If the application does not meet the minimum requirements, or is outside the authority of the Planning and Zoning Commission, the application will not be accepted. If the application is not accepted then you have the right to appeal under the Administrative review section of the powers of Planning and Zoning Commission.

This application is hereby accepted as submitted by the Village of Woodmere Building Department to be heard by the Planning and Zoning Commission.

\_\_\_\_\_  
Building Department

\_\_\_\_\_  
Date

**ACKNOWLEDGEMENT OF RESPONSIBILITY**

This is to certify that I am making application for the described action by the Village and that I am responsible for complying with all Village requirements with regard to this request. This application should be processed in my name and I am the party who the Village should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that Village staff and consultants may review this application. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the Village upon demand, expenses, determined by the Village, that the Village incurs in reviewing this application and shall provide an escrow deposit to the Village in an amount to be determined by the Village. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by Village personnel to the property for purposed of review of my application and to erect a temporary sign indicating the application proposed.

Signature of Applicant:\_\_\_\_\_ Date:\_\_\_\_\_

Name of Applicant:\_\_\_\_\_ Date:\_\_\_\_\_

Name and address of Contact (if other than applicant:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Date

**AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that **I AM THE FEE TITLE OWNER** of the below described property or that I have written authorization from the owner to pursue the described action.

\_\_\_\_\_  
Name of Applicant (Please Print)

Street address/legal description of subject property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

**If you are not the fee owner**, attach another copy of this form that has been completed by the fee owner or a copy of your authorization to pursue this action.

**If a Corporation is fee title holder**, attach a copy of the resolution of the Board of Directors authorizing this action.

**If a joint venture or partnership is the fee owner**, attach a copy of agreement authorizing this action of behalf of the joint venture or partnership.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date