

Harris Township Board of Zoning Appeals Application

Date Received by Zoning Inspector: \_\_\_\_\_ Application #: \_\_\_\_\_

**Agent for Property Owner** (please print)

\_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Best Phone \_\_\_\_\_ Email: \_\_\_\_\_

**Property Owner** (please print) \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Best Phone \_\_\_\_\_ Email: \_\_\_\_\_

**1 - SPECIFIC REQUEST**

Use an additional application if there is more than one owner making the request.

**MUST BE COMPLETED AS FULLY AS POSSIBLE**

Area Variance Request  Use Variance Request  Conditional Use Request  Appeal

**MUST CITE SPECIFIC SECTION (S) OF THE HARRIS TOWNSHIP ZONING CODE THAT APPLY**

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

**What is the practical difficulty encountered?**

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

**2. DECISION STANDARDS**

Applicant must attach a response as complete and detailed as possible - See...

“Attachment A” for Area Variance requests

“Attachment B” for Use Variance requests

“Attachment C” for Conditional Use requests

**3. DRAWINGS AND MAPS**

Appeal must include a scaled site plan/ plot plan showing the dimensions of the property, location of roads, size and location of existing and proposed structures, including but not limited to driveways, patios, sidewalks and decks, as well as the setback distances from the property lines to each of these aforementioned items on the property. Elevations shall also be submitted when applicable. Applications for signs shall include all drawings depicting the size, height and location of the proposed sign.

Maximum 11” x 17” sized drawings

Applicant may use downloaded aerial image of the property from the Ottawa County Auditor website.

In the case of a front setback request applicant will need to show current distance from centerline of front roadway and proposed setback from centerline of same roadway in addition to the information requested above.

Applicants are encouraged to include any applicable architectural drawings or renderings that relate to the request.

**4. ADJACENT PROPERTIES**

Applicant MUST attach a list of the names & addresses of the property owners contiguous to and directly across the street from the property involved.

5. Photographs or any other information and documentation as it relates to the request being made.

An application is hereby made for an appeal before the Harris Township Board of Zoning Appeals (BZA). It is understood and agreed to by the appellant(s) and agent(s) that the Board of Zoning Appeals is a quasi-judicial Board. The BZA’s primary function is to hear testimony and issue a decision. The BZA only hears relevant, sworn testimony from the Appellant, his/her duly appointed agent or attorney, and any other person with standing to testify in a particular matter. The Appellant has the right to cross-examine any testimony given. Hearings are open to public attendance. Unless appealed to the judicial system, the subject property shall comply with the decision rendered and the laws of the State of Ohio, and; should an application be granted, a permit shall be applied for and issued 30 days after such decision is rendered. The Appellant and Agent hereby certify that the information and statements given on this application, drawings and specification are to the best of their knowledge, true and correct.

Agent’s Signature \_\_\_\_\_ Date \_\_\_\_\_

Property Owner(s) Signature(s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**BOARD OF ZONING APPEALS SUMMARY**

BZA Hearing Date: \_\_\_\_\_ Application #: \_\_\_\_\_

Notice Sent to Newspaper: \_\_\_\_\_ Published: \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Notice Sent to Neighboring Property Owners: \_\_\_\_\_

BZA Action: \_\_\_\_\_ Approved \_\_\_\_\_ Approved w/ Conditions \_\_\_\_\_ Denied

Vote:

Conditions to be applied

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Board Signature(s):

Name

Title

Date

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**ATTACHMENT A – AREA VARIANCE REQUESTS - Use separate sheets as needed**

Area Variance: An area variance is a departure from the provisions of the zoning resolution usually relating to setbacks, height, frontage/lot width, and lot size. These variances relate to the physical characteristics of the property. Strict enforcement of the zoning requirements for the specific lot would present “practical difficulties,” basically making the property unusable.

The factors or standards to be considered and weighed for an area variance include, but are not limited to the following:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
2. Whether the variance is substantial.
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).
5. Whether the property owner purchased the property with knowledge of the zoning restriction.
6. Whether the property owner’s predicament feasibly can be prevented through some method other than a variance.
7. Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance

## **ATTACHMENT B – USE VARIANCE REQUESTS - Use separate sheets as needed**

Use Variance: A use variance involves the development or conversion of land for a use not permitted in the specific zoning district. The factors or standards applied to a use variance are those related to the concept of “unnecessary hardship.” A use variance must not be contrary to the public interest and the board of zoning appeals must insure that the spirit of the zoning resolution is observed. In other words, the use requested is consistent and harmonious to the existing uses. In addition, all of the following conditions must also be found to exist:

1. The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity and were not created by the applicant.
2. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve a convenience to the applicant.
3. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any way impair the health, safety, convenience, or general welfare of the inhabitants of the Township.

**ATTACHMENT C – CONDITIONAL USE VARIANCE REQUESTS - Use separate sheets as needed**

Applicant to respond to the specific items in Section 6 of the Harris Township Zoning Code that apply to the specific conditional use request being made.