

# Catawba Island Township

4822 E. Cemetery Road  
Port Clinton, Ohio 43452

Trustees

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## Application for Conditional Use

Application # \_\_\_\_\_

Fee: \$250.00

To the Catawba Island Township Board of Zoning Appeals:

We, the undersigned owners of real estate in Catawba Island Township, Ottawa County, Ohio, hereby request that you approve the following legally described land for conditional use in the \_\_\_\_\_ Zoning District.

(legal description) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This area will be used for: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Accompanying this application are the necessary plans, drawings and/or supporting material.

Name:

Address:

\_\_\_\_\_

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Date Filed \_\_\_\_\_ 20 \_\_\_\_ Date of Hearing \_\_\_\_\_ 20 \_\_\_\_

Zoning Appeals action: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_ 20 \_\_\_\_

Catawba Island Township Zoning Appeals Board

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Purpose:

In addition to uses specifically classified and permitted in the various Districts in the Resolution, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the services they provide to the public. These conditional uses require particular consideration as to their proper location in relation to adjacent established or intended uses, or the planned development of the community. The conditional uses fall into two categories as follows:

1. Uses either municipally operated or uses traditionally affected by public interest; or
2. Uses entirely private in character, which because of their peculiar locational needs or the nature of the services they offer to the public, may have to be established in a District or Districts in which they cannot reasonably be allowed as a permitted use under the zoning resolution.

Procedure:

Whenever it is stated in this Resolution that certain conditional uses may be permitted in a specific District, the following procedure shall be followed. Conditional uses which existed at the time of the adoption of this Resolution, as amended, may be continued.

1. Written applications for approval of conditional uses shall be filed with the Board of Zoning Appeals upon forms prescribed for that purpose by the Board of Zoning Appeals. A fee as determined by the Township Trustees shall be paid upon the filing of each application for the purpose of defraying the actual costs of the proceedings. A written receipt shall be issued to the person making such payment and records thereof shall be kept in such a manner as prescribed by law.
2. The Board of Zoning Appeals shall hold a public hearing on each application for a conditional use. The Board shall fix a reasonable time and place for the hearing, give at least ten days notice in writing to the parties of interest, and give ten days notice of said public hearing by one publication in one or more newspapers of general circulation in the township.
3. The Board of Zoning Appeals shall make its findings and determination in writing within forty (40) days from the date of the filing of the application and shall transmit a copy thereof to the applicant. No decision of the Board shall become effective until after an elapsed period of ten (10) days from the date of the written determination during which time the applicant or any other person aggrieved may appeal to the Court of Common Pleas of Ottawa County on the grounds that the decision was unreasonable or unlawful.
4. In approving the conditional uses referred to in this Section, the Board of Zoning Appeals shall have the authority to impose such conditions as it deems necessary to protect the best interests of the surrounding property or neighborhood.
5. In specific cases, the Board of Zoning Appeals may issue conditional use permits for a specific period of time, after which the conditional use permit will be null and void and reapplication will be required.
6. In the event that a conditional use authorized for a building, structure, or land is voluntarily discontinued for a period of two (2) years, the use of the same shall thereafter conform to the uses permitted in the District in which it is located.

7. The following Finding of Fact shall be used by the Board of Zoning Appeals in reaching its decision.

Instructions:

The Applicant shall complete this form as part of the application submission. The Board of Zoning Appeals shall publicly review the submitted form at the public hearing, stipulating the responses identified by the applicant.

Each item on the form needs to be addressed. The Board shall receive the testimony of those in attendance that are in support of the application and those that are opposed to the request. The Board may consider written comments that are submitted in advance of the hearing during its review.

At the conclusion of the testimony, the Board shall complete a separate form to become part of the public record. The Board shall summarize its findings concerning each item after reviewing the application and hearing the testimony.

Should an issue not be adequately addressed, the Board may continue the hearing to provide adequate time for the necessary material to be submitted to address the Board's concerns.

Failure by the Board to conclude that all of the noted criteria have been properly addressed will result in denial of the applicant's request.

Finding of Fact

A conditional use is a use authorized in a particular zoning district upon showing that such use in a specified location will comply with all of the conditions and standards for the location or operation of the use.

The following factors shall be analyzed by the Board of Zoning Appeals:

1. The location, size and character will be in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the Zoning District in which it is to be located.

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2. The proposed development is in accord with the overall development plans of the area.

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3. The proposed development will be in keeping with the existing land use character and physical development potential of the area.

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4. The necessity or desirability of the proposed use to the neighborhood or community has been proven.

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5. If permitted, the use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than in normal for the District involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking provisions for pedestrian traffic, with particular attention to minimizing child-vehicle contacts in residential districts.

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6. The use will be designed as to its location, size, intensity, site layout and periods of operation to eliminate any possible nuisances emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke, or lights.

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7. The use will be such that the proposed location and height of buildings or structures and the location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

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8. The use will relate harmoniously with the physical and economic aspects of the adjacent land uses regarding prevailing shopping habits, convenience of access of prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.

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9. The use is necessary for the public convenience at that location.

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10. The use is so designed, located, and proposed to be operated that the public health, safety and welfare will be protected.

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11. The use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.

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Decision

It is therefore the decision of the Catawba Island Township Board of Zoning Appeals that this conditional use application is granted, subject to any conditions stated in the minutes which conditions are incorporated herein by reference and made a part of this decision.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

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