

Catawba Island Township

4822 E. Cemetery Road
Port Clinton, Ohio 43452

Trustees
Gary Mortus 419-797-4860
Matt Montowski 419-797-3031
William Rofkar 419-797-9988

Zoning Inspector
Walter Wehenkel 419-797-4131
Fiscal Officer
Karen Shaw 419-797-4131

Catawba Island Township Board of Zoning Appeals

Application for a Use Variance

A Use Variance involves the development or conversion of land for 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”. Also, 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 and the use requested is consistent and harmonious to the existing uses.

Application for a Use Variance shall be filed with the Zoning Inspector and must consist of the following:

1. Application form.
2. Copy of the deed showing ownership and a legal description of the property. If the applicant is not the owner of the property, the applicant must obtain a power of attorney from the owner granting the applicant authority to request the variance.
3. Plot showing the dimensions of the property, location of road(s), size and location of any structures currently on or proposed to be built on the property, setbacks to these structures, location and dimensions of parking area, direction of north, applicants name and address. Note: Setbacks are measured to the overhang if it exceeds eighteen inches, otherwise the foundation.
4. The names and addresses of all property owners within, contiguous to, and directly across the street from the property involved. The names and addresses shall be obtained from the County Auditor’s current tax list or the County Treasurer’s mailing list. Failure to deliver all of the names and addresses will not invalidate the action taken by the Board of Zoning Appeals, but may result in revocation of the zoning permit upon request by a party who was not properly notified.
5. A statement explaining why the variance from the requirements of the Zoning Resolution is requested and how the applicant believes he/she meets the standards. A finding of fact sheet is included in this application which needs to be completed and will be used by the Board in determining whether to grant a use variance.
6. A \$250.00 filing fee. Checks made payable to Catawba Island Township.

No application will be scheduled for hearing until all of the above items have been filed with the Zoning Inspector. Hearings are held the second Wednesday of each month. The filing deadline is noon, three weeks prior to the hearing.

Catawba Island Township Board of Zoning Appeals

Application for Use Variance

Application # _____

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 a Use Variance in the _____ Zoning District.

(legal description)

A variance would allow:

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

Fee Paid _____

Applicant(s) _____

Date Filed _____

Hearing Date _____

Phone _____

Signature of Applicant (s)

Decision of Zoning Board of Appeals

Chairperson

Date of Decision

Zoning Inspector

Instructions:

The Applicant shall complete the appropriate form as parts 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.

Use Variance
Finding of Fact

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.

Decision

The decision made by the Catawba Island Township Board of Zoning Appeals will go into effect after the record from tonight's Board of Zoning Appeals action is approved at the next scheduled meeting of the Board. Upon approval, the zoning certificate will be available for processing and receipt. HOWEVER, understand that an appeal to the Ottawa County Court of Common Pleas may still occur within 30 days following the approval of the Board of Zoning Appeals minutes.

It is therefore the decision of the Catawba Island Township Board of Zoning Appeals that this Use Variance petition 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 ____.
