

CATAWBA ISLAND TOWNSHIP

4822 E. CEMETERY ROAD
PORT CLINTON, OH 43452

ADDENDUM TO THE APPLICATION

INSTRUCTIONS:

The applicant shall complete the appropriate form as part of the application submission. The board of Zoning Appeals shall publicly review the submitted form at the public meeting, 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 shall summarize its findings concerning each item after reviewing the application and hearing the testimony.

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.

Catawba Island Township Board of Zoning Appeals

Application for an Area Variance

An area variance is a departure from the provisions of the Zoning Resolution usually relating to setbacks, side yards, height, frontage/lot width, lot size and percentage (%) of coverage. 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.

Application for an area variance shall be filed with the Zoning Inspector and must consist of the following:

1. Application form. Physical address identifying the parcel. Markers or flags shall be accurately placed indicating the area of the requested variance provided by the Zoning Inspector.
2. Copy of the deed showing ownership and a legal description of the parcel. If the applicant is not the owner of the property, a power of attorney from the owner granting the applicant authority to request the variance.
3. Plot plan drawn to scale showing dimensions and shape of parcel, location of all road right of ways, size, square footage, height and location of existing buildings, setbacks to these structures, the locations and dimensions of proposed structures, alterations or additions and any natural topographic peculiarities of the parcel, and locations and dimensions of setbacks of adjoining properties. Applicant shall indicate North direction on all drawings. Note: Setbacks are measured to the farthest projection of the structure including steps and bay windows, etc., but not including overhangs of eighteen (18) inches or less.
4. A list of the names and addresses of all property owners within, contiguous to and directly across the street from the property involved. The names and addresses can be obtained from the County Auditor's current tax list or the Treasurer's mailing list. Failure to deliver all of the property owner's names and addresses will not invalidate the action taken by the Board of Zoning Appeals, but can result in revocation of the Zoning Certificate upon request by a party who was not notified.
5. A finding of fact statement explaining why the variance from the requirements of the Zoning Resolution is requested and how the applicant believes he/she meets the standards used in determining whether to grant an area variance.
6. A \$250.00 filing fee. Checks made payable to Catawba Island Township.
7. Submission of this application for area variance shall grant permission to the members of the Board of Zoning Appeals to inspect the property described.

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. At the time of filing, the Zoning Inspector will supply flags which the applicant is required to use in order to mark the property at least 10 days prior to the hearing. For this reason, applications should be filed in person, either by the applicant or a designated representative. Approval of area variances will be effective on the date the minutes of the meeting are approved.

Placing Flags/Marking of the Lot

For every area variance, the applicant will be required to place flags and/or mark the lot identifying the waiver(s) being requested.

Flags will be provided at no cost by the township and can be obtained at the Administration Building on Cemetery Road.

Each **corner of the lot/property** involved in the variance requested shall be identified with **red** flags.

For every **specific location where a variance is being requested**, a **green** flag and marking shall be used to identify it. Using spray paint, in addition to the placement of the green flags, may be beneficial.

For instance, if the front of a structure is proposed to be closer to the street right-of-way than permitted by the setback requirements, the proposed corners of that building shall be identified on the lot with green flags and markings.

The better the lot is identified with the flags and marking, the more likely the members of the Board of Zoning Appeals will understand the request before them for consideration.

In the event that flags cannot be placed due to water, concrete or other type of surface, the applicant must still clearly mark the area with some other form of identification such as paint, concrete block, etc.

APPLICATION FOR ZONING CERTIFICATE APPLICATION # _____

Catawba Island Township, Ottawa County, Ohio (RC. 519.16 & 519.17)

To The Township Zoning Inspector:

The undersigned hereby applies for a zoning certificate to be issued on the basis of the representations contained herein, all of which the applicant says are true. In the event such application, sketch, site plan or PUD plan, or supporting evidence contains an error, misstatement or misrepresentation caused by the applicant or his/her agent and on which the Township Officer relied in order to issue or approve a Zoning Certificate, then the granted Zoning Certificate shall constitute ground for the revocation of the permit at any time.

Address of Property _____ Gate Code _____

Section & Lot _____ Lot _____ Subdivision _____

Name of Land Owner _____ Phone No. () _____

Address _____

Occupant _____ Phone No. () _____

Proposed Use (explain) _____ Zoning District _____

____ New ____ Alteration ____ Addition ____ Relocate ____ Commercial ____ Sign/Size

____ Accessory Building ____ Residence ____ No. of Families ____ Fence ____ Other (explain)

Attach a sketch of lot, showing dimensions, existing buildings and proposed construction or use including setbacks from lot lines and other structures. Show all road right of ways and indicate North and provide the following information:

Main road frontage _____ feet. Lot width _____ feet. Lot depth _____ feet. Lot depth _____ feet.

Set back from main road right of way _____ feet. Rear yard clearance _____ feet.

Side yard clearance _____ feet Right. Side yard clearance _____ feet Left.

Dimensions of building _____ feet Width _____ feet Depth.

Highest point of building above the established grade _____ feet.

*Set backs are measured to the farthest projections of a structure including steps, bay windows, etc., but not including overhangs of eighteen (18) inches or less.

Are the property pins located or have you had a recent survey of the parcel? Yes / No

If application is for a non-residential use, list total square footage of building per floor. If application is for a residential use list total area of living space per floor as well as total area of all applicable attachments to the structure.

Number of stories: _____ 1st floor _____ sq. ft. 2nd floor _____ sq. ft. 3rd floor _____ sq. ft.

Garage/carport _____ sq. ft. Decks/porches _____ sq. ft. Total _____ sq. ft.

Off-street parking _____ sq. ft. Accessory building size _____ x _____ sq. ft.

Describe any easements _____

Allowed coverage is _____ % for the _____ Zoning District. Actual Percentage (%) of coverage is _____ % Building Use _____

Dwelling requirements: It is agreed that structure or use will meet all requirements of Section 7, E. 1 through 6 of the Catawba Island Township Zoning Resolution. If not, describe:

Applicant/Agent X _____ *Date* _____

Filed with the Catawba Island Township Zoning Inspector on the _____ day of _____ / _____
Date acted upon _____ day of _____ / _____.

Upon basis of Application # _____, the statements in which are made a part hereof, the proposed usage is (found) / (not found) to be in accordance with the Catawba Island Township Zoning Resolution and is hereby (approved) or (rejected) for the _____ Zoning District.

Fee paid \$ _____

Catawba Island Township Zoning Inspector

If application is rejected, reason for rejection _____

Refiled with the Catawba Island Township Zoning Inspector on the _____ day of _____ / _____
Date acted upon _____ day of _____ / _____.

Upon basis of Application # _____, the statements in which are made a part hereof, the proposed usage is (found) / (not found) to be in accordance with the Catawba Island Township Zoning Resolution and is hereby (approved) or (rejected) for the _____ Zoning District.

Fee paid \$ _____

Catawba Island Township Zoning Inspector

In addition to a site plan, applications for new dwellings, new commercial buildings, accessory structures or additions to existing buildings will need to submit a copy of the floor plan and exterior elevations (all four sides) drawn either to scale or with accurate dimensions indicating room sizes and overall building height from the finish grade.

Permit valid for a period of eighteen (18) months from date of issue.

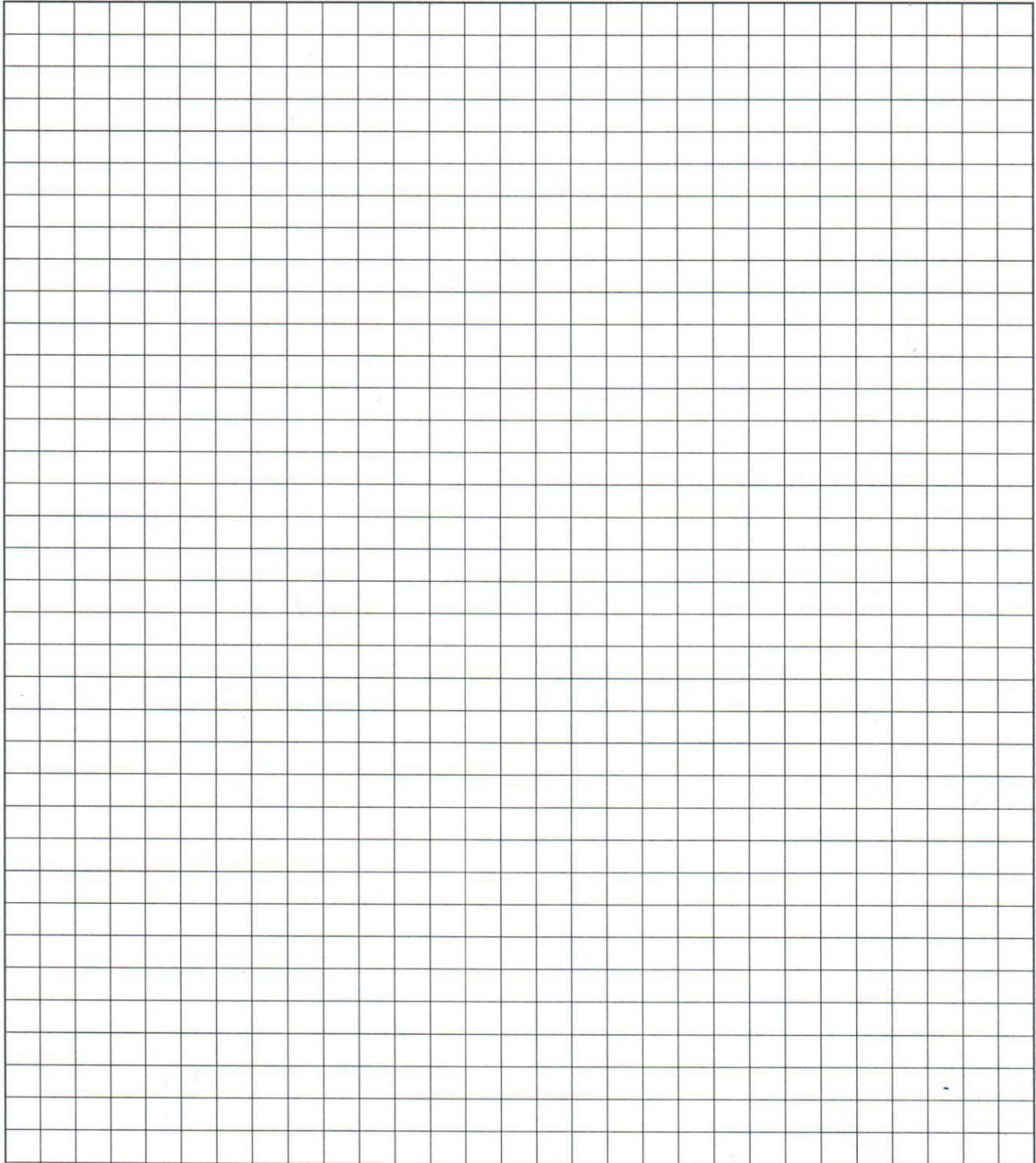
Catawba Island Township

4822 E. Cemetery Road
Port Clinton, Ohio 43452

Zoning Inspector, Todd Bickley zoning@catawbaislandtownship.com 419-797-4131

SKETCH

Draw to scale and show all dimensions. Please indicate NORTH



Catawba Island Township Board of Zoning Appeals

Application for Area 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, request an area variance from the requirements of the Catawba Island Township Zoning Resolution for the following legally described land in the _____ Zoning District.

(legal description)

Owner of Record: _____

A variance is being requested from the following section(s) of the Zoning Resolution:

A variance would allow:

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

Fee Paid _____

Applicant _____

Date Filed _____

Address _____

Date of Hearing _____

Decision of Zoning Board of Appeals

Chairperson

Date of Decision

Zoning Inspector

INSTRUCTIONS FOR COMPLETING THE FINDING OF FACT QUESTIONNAIRE

The Finding of Fact is a document that all applicants must complete as part of the variance application process. The seven questions included herein are from a court decision. The Board's decision will be based upon your responses to these questions. Each question also requires a YES or NO answer. The following is a brief explanation of each question.

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.

Without the variance being granted, can the owner obtain a return of their initial investment? Does the property have a value today without the variance?

Is this request a "Want" or a "Necessity"? Explain why.

How is the property presently being used?

A request for a variance involving vacant land is more likely to meet this standard than a parcel with an existing home that the owner wants to expand upon.

2. Whether the variance is substantial.

**Will the variance allow a similar situation to occur that exists on other properties in the area?
What percentage of increase or reduction will the variance request allow?**

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.

What are the uses on the adjoining properties and are there dimensional requirements such as setbacks, lot coverage, heights etc. similar to the variance request being made?

Would the request detrimentally impact or affect these existing uses?

4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).

Will the proposed variance create fire-fighting issues or maintenance issues for utility companies?

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

Did you know zoning regulations were in existence?

Have you previously applied for zoning permits for this property or others?

Have you been notified of variance requests by adjoining lot owners?

6. Whether the property owner's predicament feasibly can be prevented through some method other than a variance.

Can you build a smaller addition than proposed or locate the addition in another location on the lot?

Can you modify the construction plan to accomplish the goal in another way?

7. Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance.

Will the variance allow you to do something different from your neighbors?

Is your situation similar to other lots in the neighborhood?

Will the neighbor's interest not be served by granting the variance requested?

**Area Variance
Finding of Fact**

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.

YES _____ NO _____ Please explain your answer per the instructions.

Based upon the response and the testimony given the Board Agrees _____ Disagrees _____

Comments: _____

2. Whether the variance is substantial.

YES _____ NO _____ Please explain your answer per the instructions.

Based upon the response and the testimony given the Board Agrees _____ Disagrees _____

Comments: _____

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.

YES _____ NO _____ Please Explain your answer per the instructions.

Based upon the response and the testimony given the Board Agrees _____ Disagrees _____

Comments: _____

4. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).

YES _____ NO _____ Please explain your answer per the instructions.

Based upon the response and the testimony given the Board Agrees _____ Disagrees _____

Comments: _____

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

YES _____ NO _____ Please explain your answer per the instructions.

Based upon the response and the testimony given the Board Agrees _____ Disagrees _____

Comments: _____

6. Whether the property owner's predicament feasibly can be prevented through some method other than a variance.

YES _____ NO _____ Please explain your answer per the instructions.

Based upon the response and the testimony given the Board Agrees _____ Disagrees _____

Comments: _____

7. Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance.

YES _____ NO _____ Please explain your answer per the instructions.

Based upon the response and the testimony given the Board Agrees _____ Disagrees _____

Comments: _____

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 area variance petition is _____ . If approved, it is subject to any conditions stated in the minutes which conditions are incorporated herein by reference and made a part of this decision.

Case # _____

Adopted this _____ day of _____, 20 _____.

