

VARIANCE APPLICATION PROCEDURE

These pages are provided to give you an understanding of the variance application procedure used by the Village of Marble Cliff. Chapter 154: Zoning Code of the Marble Cliff Ohio Code of Ordinances gives Village Council the authority to grant certain variances to the Zoning Code of the Village. The regularly scheduled meeting of the Council is generally held on the third Monday of each month at 7:00 p.m. in the Council chambers of Village Hall, 1600 Fernwood Avenue.

To initiate the variance process, the applicant must file the following completed documents with the Fiscal Officer of the Village **no later than 30 days before the meeting at which Council will consider the application:**

1. Application for variance(s), including the reasons for the request(s) (Exhibit A and B)
2. Certification of names of persons and addresses to be notified (Exhibit C).
3. Drawings (Exhibit D)
4. A check payable to Village of Marble Cliff for \$50.00 (residential) or \$100.00* (commercial).
* Plus direct engineering review costs as determined by the Village.
5. Completed sign, fence, and/or demolition permit application (if applicable).

ELECTRONIC SUBMISSION OF THE APPLICATION AND SUPPORTING DOCUMENTS IS PREFERRED. SUBMISSIONS MAY BE MADE ELECTRONICALLY AT marblecl@rrcol.com. Hard copies may be submitted at 1600 Fernwood Ave., Columbus, OH 43212

YOU OR YOUR REPRESENTATIVE SHOULD BE PRESENT AT THE MEETING WHEN THE COUNCIL CONSIDERS YOUR REQUEST. At this meeting, Council may ask you to explain your request. Your neighbors, if present, will then be given the opportunity to voice their support for or opposition to your request. After all interested parties have been heard, Council will rule on your request for a variance (or delay a decision for more information).

All variances **must be implemented within one year** from the date of approval. If implementation is not achieved within this one-year period, a new variance must be sought.

The Village Fiscal Officer will mail a copy of the approved Variance ordinance to the applicant within 30 days after approval by Council. This copy should be kept with other important property documentation for future reference.

(EXHIBIT A)

APPLICATION FOR VARIANCE

Applicable sections of the Marble Cliff Code of Ordinances can be reviewed at Village Hall or on the website (www.marblecliff.org, click on ordinances). The undersigned requests that the Council of the Village of Marble Cliff approve the following variance(s) from the provisions of the Zoning Code (check all that apply):

For residential or commercial property:

- Rear yard setback variance-Code 154.056
- Front/Side yard setback variance- Code 154.056
- Front/side yard structure variance- Code 154.057
- Building height variance- Code 154.051
- Lot coverage variance- Code 154.052
- Fence variance- Code 154.079
- Other _____

For commercial property: Sign Code 154.125 Conditional Use Code 154.157 Lighting Code 154.06

Have you discussed your variance request with your neighbors? Yes No

State briefly the present requirement of the Zoning Code, and explain the variance(s) that you are requesting. List any special condition or practical difficulty you face which causes you to seek a variance from the uniform application of the Zoning Code.

Application continues on next page

(EXHIBIT B)

Under Village Code of Ordinances, Village Council is authorized to hear and decide appeals and authorize such variances from the provisions or requirements of this code to assure that a decision will not be contrary to the public interest. In authorizing a variance, the Village Council may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of code. Section 154.156 of the Code states “where there is unnecessary hardship, the Village Council may grant a variance in the application of the provisions of the zoning chapter.”

In determining if a variance is appropriate, Council must examine the following factors. Please respond to each of the following 6 factors to determine whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.

1. Why is this variance important to you? What “problem” with your property are you seeking to correct?

2. Would the essential character of the neighborhood be substantially altered or adjoining properties suffer a "substantial detriment"?

3. Would the variance adversely affect the delivery of governmental services? Yes ___ No ___

4. Did you purchase the property with knowledge of zoning restrictions? Yes ___ No ___

5. Can the problem be solved by some manner other than the granting of a variance?

6. Does the variance preserves the "spirit and intent" of the zoning requirement and would granting the variance be fair to all neighbors?

Signature of Applicant(s)

Signature of Property Owner
(if different from applicant)

Address where variance will be used

Daytime phone number where inquiries
may be made

Date

E-mail Address
Spoken to Neighbors ___ yes no ___

(EXHIBIT D)

DRAWING

The applicant must submit a scaled drawing that accurately portrays the proposed variance. Depending upon the nature of the variance, which is being requested, it may be appropriate to submit a site plan, building elevations, a landscape plan or other drawings/architectural renderings. The type of building material must also be set forth. The drawing may be made on this sheet of paper or may be submitted on 8.5x11" paper separately with the application or electronically.