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.
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.

_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
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Application continues on next page
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 ________________________________

E-mail Address ________________________________

Date ________________________________

Spoken to Neighbors ___ yes ___ no ___
CERTIFICATION OF NAMES OF PERSONS TO BE NOTIFIED

Property owners in the immediate vicinity of your property are likely to be most affected if a variance is granted. Therefore, the Fiscal Officer will notify those owners of the filing of the application, the nature of the variance requested and the date upon which Council will consider it. The applicant is required to provide the names and addresses of those property owners to the Fiscal Officer by completing the following form. The list should include owners of property located outside the Village boundaries if such property is within the prescribed distance requirement. Bear in mind that the purpose of this list is to enable those owners to receive actual notice. Therefore, a mailing address taken from the tax duplicate which is the address of a mortgage company is not appropriate; nor is a street address of a vacant lot. You can use the Franklin County Recorder’s property records web site to identify the property owners within 100 feet of your property. The entry web page can be found at: http://www.franklincountyauditor.com/

The undersigned applicant hereby certifies that the following is a complete list of the names and mailing addresses of the owners of all properties any part of which is within 100 feet any portion of the property for which the variance is sought, plus owners of all property immediately across the street from the property for which the variance is sought even though more than 100 feet distant:

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<th>Name of Property Owner</th>
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Signature of applicant
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.