

## VILLAGE OF UTICA –ZONING PROCEDURES: VARIANCE

### Section 512: Application

1. Name, address, and phone number of applicant
2. Address or legal description of property
3. Description of nature of variance requested
4. Narrative s/s demonstrating conformance to:
  - a. Special conditions and circumstances existing which are peculiar to the land, structure or building involved and not applicable to other lands, structures or buildings in district
  - b. Literal interpretations of the provisions of this ordinance would deprive applicant of routes commonly enjoyed by other persons in the same district under zoning
  - c. Special conditions and circumstances do not result from action of application
  - d. Granting of variances would not confer on applicant any special privileges denied by zoning to other lands, buildings, or other structures in same
5. List of all property owners and mail addresses (auditor's list) within 200 feet contiguous to or directly across the street from parcel requesting variance

### Procedure

1. File application with fee of \$275 plus costs.
2. Hearing within 30 days before Board of Zoning Appeals
  - 10 days prior to hearing newspaper notice and mail to all parties in interest
3. Action within 30 days of hearing

**APPLICATION FOR VARIANCE**

**Board of Zoning Appeals  
Village of Utica, Ohio**

**Applicant**

Application No. \_\_\_\_\_

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Home Phone (\_\_\_\_) \_\_\_\_\_ Business Phone (\_\_\_\_) \_\_\_\_\_

1. Location Description: Complete a, b or c.
  - a) Subdivision Name \_\_\_\_\_ Lot Number \_\_\_\_\_
  - b) If not in platted subdivision, attach a legal description.
  - c) Street Address \_\_\_\_\_  
Block (nearest intersection) \_\_\_\_\_
2. Nature of Variance: Describe generally the nature of the variance requested.  
\_\_\_\_\_  
\_\_\_\_\_
3. Justification of Variance: In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true:
  - a. That special conditions exist peculiar to the land, structures, or building involved and which are not applicable to other lands structures, or buildings in the district.
  - b. That a literal interpretation of the provisions of the Utica zoning ordinance would deprive the applicant of rights commonly enjoyed by other property owners in the same district under the terms of the ordinance.
  - c. That the special conditions and circumstances do not result from the actions of the applicant.
  - d. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the Utica zoning ordinance to other lands, structures, or buildings I the same district.

(A statement demonstrating that the requested variance conforms to these standards is required to be attached to this application. It is suggested that applicant include a scale drawing of the lot and all existing and suggested improvements.)
4. Attach a list of names and address of all property owners within 200 feet, contiguous to, or directly across the street from the parcel requesting the variance. Such names and addresses shall be those appearing on the County Auditor's current tax list of the County Treasurer's mailing list.

I certify that the information contained in this application and its supplement is true and correct.

\_\_\_\_\_  
Applicant's Signature Date Signed

**FOR OFFICIAL USE ONLY**

Date filed: \_\_\_\_\_

Date of notice to parties in interest: \_\_\_\_\_

Date of notice to newspaper: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Decision of Board of Zoning Appeals:    Approved: \_\_\_\_\_    Denied: \_\_\_\_\_

If approved, the following finding of fact were made;

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

and the following conditions and safeguards were prescribed (if none, leave blank).

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

If denied, reason for denial: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Board of Zoning Appeals Chair

Note: One (1) copy to be filed with the Zoning Inspector, and  
Two (2) copies with the Board of Zoning Appeals.