

Fee: \$100.00

Date Pd. _____

Check # _____

VILLAGE OF INDIAN HILL APPLICATION FOR GRANT OF VARIANCE

To: The Indian Hill Planning Commission

The undersigned hereby applies for a grant of variance from the provisions and/or requirements of the Indian Hill Zoning Ordinance.

PART A General Information

1) Name & address of person making application:

2) Name(s) of property owner(s):

3) Address or location of property:

4) District classification:

5) What is the basis on which the application for variance is being requested?

a) Undue hardship _____ b) Exceptional practical difficulty _____

c) Conflict with Village's adopted Land Use & Objectives & Policies _____

NOTE TO APPLICANT

The information requested under the following items is required by the Indian Hill Zoning Ordinance.

It is suggested that the applicant consult with the City Manager's office for assistance in completing this form. Samples of completed forms are also available.

All items should be answered clearly and completely. (Additional sheets may be attached if space provided is not adequate).

ZONING ORDINANCE – VILLAGE OF INDIAN HILL, OHIO

Section

101.5

Variances

101.51 Purpose The Commission, upon application, shall have the power to grant variances from the provisions and requirements of this ordinance which will not be contrary to the public interest or the general purpose and intent of this ordinance, only in those specific instances defined in Section 101.52, based upon the standards set forth in Section 101.53, where, owing to special conditions of a lot, strict enforcement of the provisions or requirements of this ordinance would cause undue hardship or exceptional practical difficulty, or would conflict with the Village's adopted land use objectives and policies.

101.52 Variances Authorized Variances from the provisions and requirements of this ordinance shall be granted by the Commission only in accordance with the standards established in Section 101.53 and shall be limited to the following circumstances and no others:

- 1) To vary the applicable bulk regulations for buildings and structures, including maximum height, lot coverage, required yard areas, and other required open space.
- 2) To vary the applicable minimum requirements for lot frontage and distances from lot lines.
- 3) To vary the applicable minimum requirements for lot frontage and distances from lot lines in conjunction with the grant of a special exception pursuant to Section 86 of this ordinance.

101.53 Standards for Variances The Commission shall not grant a variance as authorized in Section 101.52 unless it shall, in each

case, make specific written findings of fact directly based upon the particular evidence presented to it which support written conclusions that:

- 1) The variance requested arises from physical conditions of the lot which are rarely found in the same district and the conditions are created by the provisions or requirements of this ordinance and not by an action or actions of the property owner or the applicant, such that the literal interpretation of the ordinance would deprive the property owner or the applicant of rights commonly enjoyed by other properties in the same district;
- 2) The particular physical surroundings, shape, or topographical condition of the specific property involved would cause undue hardship or exceptional practical difficulty for the owner, lessee, or occupant, as distinguished from a mere inconvenience, or would conflict with the Village's adopted land use objectives and policies, if the provisions of this ordinance were strictly enforced;
- 3) The granting of the variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the Village streets, increase the danger of fire, endanger the public safety or substantially diminish or impair property values within the neighborhood; and
- 4) The variance desired will not conflict with the general purpose and intent of this ordinance.

The Commission may impose such conditions and restrictions upon the property benefited by a variance as the Commission may deem necessary to comply with standards set forth in this section, to reduce or minimize the impact of such variance upon other property in the neighborhood and to further the purpose and intent of this ordinance.

PART B. Answer the following as thoroughly as possible.

- 1) Describe the variance for which this application is made (see Sections 101.51 "Purpose," 101.52 "Variances Authorized," and 101.53 "Standards for Variances" of the Zoning Ordinance):

- 2) Explain how the requested variance conforms to each of the standards set forth in Section 101.53 of the Zoning Ordinance:

- 3) State, specifically by section number, the particular provisions or requirements of the Indian Hill Zoning Ordinance which prevent the proposed construction on the property:

- 4) Describe the special conditions, circumstances, or characteristics of the land, building or structure that prevent compliance with the requirements of the Zoning Ordinance:

- 5) A statement of (I) the impact of the proposal upon significant natural environmental features on the property; (II) the methods proposed to preserve significant natural environmental features on the property; and (III) the adverse environmental impacts which cannot be avoided should the variance be granted:

- 6) Give names and addresses of all owners of property adjacent to each property line of the property (also show on site plan):

Name

Address

7) Additional information if required by Indian Hill Planning Commission:

8) Attach to this application eight (8) copies of a site (plot) plan, prepared by a draftsman, and drawn to the scale of either one inch (1") equals fifty feet (50') or one inch (1") equals one hundred feet (100').

Such site plan shall show the actual dimensions of the property according to the recorded plat of such property, including contour lines; all significant vegetation and other significant natural environmental features on the property; the use, height, location, and ground area of all present and proposed building(s) and structure(s); show existing structure(s) on the lot by means of broken lines and any proposed construction by means of solid lines and cross-hatching. Show exact distances to lot lines of both existing and proposed structure(s); the location of all vehicular entrances to and exits from the property, the location of all off-street parking areas and number of spaces provided therein; the building lines in relation to lot lines; the number, type, size, and location of all present and proposed sign(s), if any.

Signature of Property Owner

Signature of Applicant

Date

Date

Variance # _____

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Review by City Manager:

I have examined this application and its attachments and find that it complies with the requirements of Sections 101.52 and 101.54 of the Indian Hill Zoning Ordinance.

Said application for variance, No. _____, is herewith forwarded to the Planning Commission for consideration.

City Manager

Date

cc: Planning Commission Members
Donald L. Crain
Applicant