



CITY OF MUNROE FALLS, OHIO

Department of Building and Zoning
43 Munroe Falls Avenue
Munroe Falls, Ohio 44262
330-688-7491 phone
330-688-3720 fax

**APPLICATION TO THE
BOARD OF ZONING
APPEALS**

FORM # 646513154-0516

APPLICANT INFORMATION (Please complete in full)

DATE:

APPLICANT NAME:

ADDRESS:

PHONE:

FAX:

CELL:

EMAIL:

LOCATION OF REQUESTED VARIANCE:

PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME:

PROPERTY OWNER ADDRESS:

PROPERTY OWNER PHONE:

CELL:

REASON FOR APPLICATION

_____ ZONING VARIANCE PURSUANT TO §1161.04(c)(2) and §1165.03. (*description of hardship*)

_____ APPEAL FROM A DECISION OF THE ZONING INSPECTOR PURSUANT TO §1161.04(c)(1).

_____ BOUNDARY DISPUTE PURSUANT TO §1161.04(c)(4) AND §1109.04 Please identify parcels abutting the disputed property:

DESCRIPTION OF THE NATURE OF THE REQUEST

ALL applications must include a non-refundable fee of \$65.00 and be received by the last Monday of the month in order to process to be ready for the Board of Zoning Appeals Meeting the following month (fourth Tuesday of each month at 7:30 pm in Council Chambers.)

Applications received after the deadline will be scheduled for the meeting during the following month.

DATE STAMP

FEE PAID

RECEIPT NO.

Signature: _____

Date: _____

Signature of Zoning Official _____

APPEALS

- (a) Initiation of Appeal. Notice of appeal shall be filed with the Board of Zoning Appeals within 30 calendar days after the date of any adverse order, requirement, decision, or determination, except when the 30th day falls on a weekend, or a holiday, then the 30th day shall be deemed to be the next day of business thereafter. Such written notice of appeal shall specify therein the grounds and reasons for the appeal.
- (b) Public Hearing by the Board. When a notice of appeal has been filed in proper form with the Board of Zoning Appeals, the Clerk of Council shall immediately place the request upon the calendar for hearing, and shall cause notices stating the time, place, and object of the hearing to be served personally or by mail, addressed to the parties making the request for appeal, variances, or exception at least five (5) days prior to the date of the scheduled hearing. All notices shall be sent to addresses given in the application; otherwise to the addresses given in the last assessment roll. Not less than fourteen (14) days prior to the date set for such hearing or appeal, written notice of such hearing shall be caused by the Board to be given by mail to any person, firm, or corporation owning premises located within 200 feet of the land to which such appeal or application relates. The Board may recess such hearings from time to time and, if the time and place of the continued hearing be publicly announced at the time of adjournment, no further notice shall be required. Any person in interest may appear at the public hearing in person or by attorney. The appellant, except the Municipality, shall post security for the cost of all action required for the hearing of the appeal.
- (c) Stay of Proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of the appeal has been filed, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed by other than a restraining order granted by the Board of Zoning Appeals or by a court having lawful jurisdiction.
- (d) Decision of the Board. Within its powers, the Board of Zoning Appeals may reverse or affirm, wholly or in part, or modify to be done, and to that end shall have all the powers of the officers from whom the appeal is taken, and it may direct the issuance of a certificate. The Board shall render a decision on the appeal without unreasonable delay. If the Board fails to act within 90 days from the date the appeal was received by the Board, or an extended period of time as may be agreed upon, the appellant may assume the appeal has been denied.
- (e) Notification of Board's Decision. The Board shall notify, or cause to be notified the appellant in writing of the decision of the Board. The Board shall keep minutes of all proceedings upon appeal, showing the vote of each member thereon, and shall keep records of its official actions.

The Board of Zoning Appeals has no authority to authorize a change in the use of any parcel of land.

Additional Concerns and Safeguards. The Board may further prescribe any conditions and safeguards that it deems necessary to ensure that the objectives of the regulations or provisions to which the variance applies will be met.

Action by the Board. The Board shall either approve, approve with supplementary conditions as specified in subsection (c), or disapprove the request for variance. The Board shall further make a finding in writing that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building or structure.

Term and Extension of Variance. Variances shall be non-assignable and shall expire one year from the date of their enactment, unless prior thereto, the applicant commences actual construction in accordance with the granted variance. There shall be no modification of variances except by further consideration of the Board of Zoning Appeals. Requests for renewal of expired variances shall be considered to be the same as an application for a variance and shall meet all requirements for application and review pursuant to this section.

Re-application

An application for a zoning variance which has been previously disapproved and/or approved with supplemental conditions attached by the Board of Zoning Appeals shall not be resubmitted to the Board of Zoning Appeals for the duration of the period of one year after the disapproval or approval with supplementary conditions.