

**CITY OF SPRINGDALE, OHIO
SPRINGDALE BUILDING DEPARTMENT
11700 SPRINGFIELD PIKE SPRINGDALE, OHIO 45246
TELEPHONE: (513) 346-5730**

SUBMISSION REQUIREMENTS AND INSTRUCTIONS FOR AN ADMINISTRATIVE APPEAL/VARIANCE REQUEST

An application for an Administrative Appeal/Variance to the Board of Zoning Appeals submitted to the City of Springdale Building Department must comply with the requirements and procedures outlined herein.

This packet contains a checklist of general, written, and graphic requirements and is intended to be included with an application. The checklist, together with all required information and application forms, must be submitted in complete and accurate form before the Appeal will be processed by the Building Department.

Please know that before a Variance hearing can be scheduled, an Plan Review Letter denying approval or a Violation Order from the Building Department must be issued and contained in the submittal packet.

This packet contains a checklist of general, written, and graphic requirements **intended to be included with an application** for review by the Planning Commission. The checklist, together with all required information and application forms, must be submitted in complete and accurate form before the Request for Approval will be processed by the Building Department.

The filing Due Date of the application packet shall be the date on which all submitted information is examined by the Building Department and found to meet all the requirements as described in this packet.

The BZA Meeting Schedule is determined approximately a year in advance and is located on the Building Department's website at: <https://www.springdale.org/board-zoning-appeals>. This schedule includes **Meeting Dates** and document **Submittal Due Dates**. The closing date represents the final day on which an application will be accepted for each month's meeting cycle. **After the closing date, the applicant cannot modify any portion of the information submitted unless specifically requested by the staff. Early submission is therefore, highly recommended to assure placement on the agenda and adequate time for revisions and corrections.**

ALL MEETINGS ARE HELD IN THE CITY COUNCIL CHAMBERS AT 11700 SPRINGFIELD PIKE, SPRINGDALE, OH AT 7:00 P.M. AT THE HEARING YOU WILL BE EXPECTED TO EXPLAIN YOUR REQUEST AND GIVE REASONS AS FOR APPEAL AND PRESENT ANY OTHER WITNESSES TO GIVE TESTIMONY. ANY OTHERS IN ATTENDANCE WILL ALSO BE GIVEN THE OPPORTUNITY TO GIVE TESTIMONY. THE APPLICANT OR A REPRESENTATIVE IS EXPECTED TO BE PRESENT AT THE MEETING. LACK OF REPRESENTATION BY THE APPLICANT MAY RESULT IN THE REQUEST BEING DENIED OR TABLED TO THE NEXT MEETING.

August 29, 2023

**SUBMISSION REQUIREMENTS
FOR AN APPEAL OF AN ADMINISTRATIVE DECISION
CITY OF SPRINGDALE ZONING CODE**

1. GENERAL REQUIREMENTS

1.1 SUBMISSION CLOSING DATE (DATE: / /)

The application packet must be submitted the City of Springdale Building Department no later than the due date. Early submission is recommended to assure placement on the agenda and adequate time for revisions and corrections.

Incomplete submittals will not be accepted for processing or be placed on agenda.

2. WRITTEN REQUIREMENTS

___ 2.1 PLAN REVIEW LETTER/ NOTICE/ ZONING ORDER (if applicable)

Submit one (1) copy of the Decision Letter for which you are appealing

___ 2.2 PLANNING/ZONING APPLICATION FORM

Complete and submit the PLANNING/ZONING APPLICATION form (provided).

___ 2.3 OWNER’S AFFIDAVIT

Complete and submit the original copy of the Owner’s Affidavit (provided).

___ 2.4 DESCRIPTION OF REQUEST AND REASONS FOR APPEAL

Complete and submit the Description of Request and Reasons for Appeal form (provided).

___ 2.5 CHECKLIST OF REQUIREMENTS

Submit this checklist fully completed.

3. GRAPHIC REQUIREMENTS

___ 3.1 DETAILED DRAWINGS

Submit any drawings which help to describe the request before the Board, (i.e. Site Plans, Floor Plans, Building Elevations, Sign Drawings, Etc.)

___ 3.2 PHOTOGRAPHS (If Applicable)

Provide different photographs to help to clarify your request to the Board.

___ 3.3 OTHER SUPPORTING INFORMATION (If Applicable)

Provide any other supporting information which will assist the Board in understanding and evaluating your case (i.e. brochures, literature, etc.)

4. ELECTRONIC DOCUMENT REQUIREMENTS

___ 3.1 DETAILED DRAWINGS

Submit an electronic copy of all documents. Please know that Board of Zoning Appeals (BZA) Applications can be submitted ONLINE on our [Citizen Portal](#) website under the PLANNING AND ZONING APPLICATION module (about the fifth type down from the top of the page) and follow the prompts on the right. Follow this link to see a step-by-step instruction packet that will help walk you through the process.

**APPLICATION FOR
ZONING VARIANCE or ADMINISTRATIVE APPEAL
CITY OF SPRINGDALE BUILDING DEPARTMENT
11700 SPRINGFIELD PIKE SPRINGDALE, OHIO 45246
TELEPHONE: (513) 346-5730**

1.) Please describe in detail your request for a Variance or Appeal.

**2.) FOR AN ADMINISTRATIVE APPEAL ONLY, Please indicate how you believe the Building Department or the Springdale Planning Commission erred in interpreting or applying the Zoning Code with respect to your application.
(If this Application is for a VARIANCE, please mark this question Not Applicable.)**

(attach additional pages as necessary)

FOR A ZONING VARIANCE ONLY, THE BOARD OF ZONING APPEALS IS REQUIRED TO CONSIDER IF THERE ARE ASPECTS ABOUT THE PROPERTY WHICH MAKE IT IMPRACTICAL TO COMPLY (i.e. setbacks, size, area, density, etc.) OR THAT AN UNNECESSARY HARDSHIP EXISTS WITH RESPECT TO A USE VARIANCE.

The Board of Zoning Appeals shall not grant variances, as authorized in the zoning code, unless the Board can determine that there is an unnecessary hardship for the owner in complying with the code requirements. The evaluation shall include, but is not limited to, the following factors:

- a) Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district; examples of such special conditions or circumstances are: exceptional irregularity, narrowness, shallowness, or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures, or conditions.
- b) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
- c) Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures.
- d) Whether the essential character of the neighborhood would be substantially altered or whether adjacent properties would suffer substantial detriment as a result of the variance.
- e) Whether the variance would adversely affect the delivery of governmental services such as water, sewer, and refuse pick-up.
- f) Whether special conditions or circumstances exist as a result of actions of the owner.
- g) Whether the property owner's predicament can feasibly be obviated through some method other than a variance.
- h) Whether the spirit and intent behind these code requirements would be observed and substantial justice done by granting a variance.
- i) Whether the granting of the variance requested will confer on the owner any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.
- j) No single factor listed above may control, and not all factors may be applicable in each case. Each case shall be determined on its own facts.

The Board of Zoning Appeals shall not grant a variance unless the Board finds that special conditions or circumstances exist which are particular to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district.

PLEASE KNOW THAT THE COSTS NECESSARY TO MAKE THE PROPERTY COMPLY WITH THE ZONING CODE ARE NOT A CONSIDERATION FOR GRANTING A VARIANCE.

DESCRIPTION OF REQUEST AND REASONS FOR VARIANCE

THE FOLLOWING ITEMS ARE REVIEWED BY THE BOARD AND ARE KEY TO SECURING A VARIANCE. ALL SECTIONS MUST BE ANSWERED FULLY AND COMPLETELY AND LEGIBLY WRITTEN OR TYPED (Attach additional pages if necessary).

1. Explain in detail what unusual characteristics about your property that make it impractical to comply with the Zoning Code requirements (i.e. topography or slope, narrow lot, irregular shaped lot, vegetation, location of existing structures, etc.).

2. Please explain in detail how you would be deprived from using your property in a manner currently enjoyed by your neighbors, if your variance request were denied.

3. Did you purchase the property with knowledge of the zoning restriction? If no, were you aware that zoning requirements existed in Springdale? If no, please explain.

4. Are there ways in which you could use the property as desired and comply with the Zoning Code? Please explain.

(attach additional pages as necessary)

PUBLIC NOTIFICATION SIGN

Prior to the variance hearing the City will place a public notification sign on the subject property near the public street in accordance with 153.710(G) of the Zoning Code. The sign will be removed by the City on the next business day following the hearing. There is an example of the sign below:

