



**CHIPPEWA TOWNSHIP
14228 GALEHOUSE ROAD**

P.O. BOX 265

DOYLESTOWN, OHIO 44230

TELEPHONE: 330-658-2112

EMAIL: info@chippewatwp.com

WEBSITE: chiptwp.com

OFFICE HOURS: MONDAY – THURSDAY

7:00 AM – 3:00 PM

ZONING INSPECTOR: CRAIG THORICHT - CELL PHONE: 330-351-1050

ZONING HOURS EVERY WEDNESDAY FROM 6:00 PM – 7:00 PM

MEETING DATES FOR THE BOARD OF ZONING APPEALS 2021

The Board of Zoning Appeals meets on the third Monday of each month at 7:00 P.M. to hear requests for Variances, Appeals or Conditional Use. If no requests are received, there will be no meeting for that month.

APPLICATION DEADLINE

****December 29, 2020**

January 27

February 24

March 31

April 28

June 2

June 30

July 28

September 1

September 29

October 27

December 1

December 29

MEETING DATE

January 18, 2021

February 15

March 15

April 19

May 17

June 21

July 19

August 16

September 20

October 18

November 15

December 20

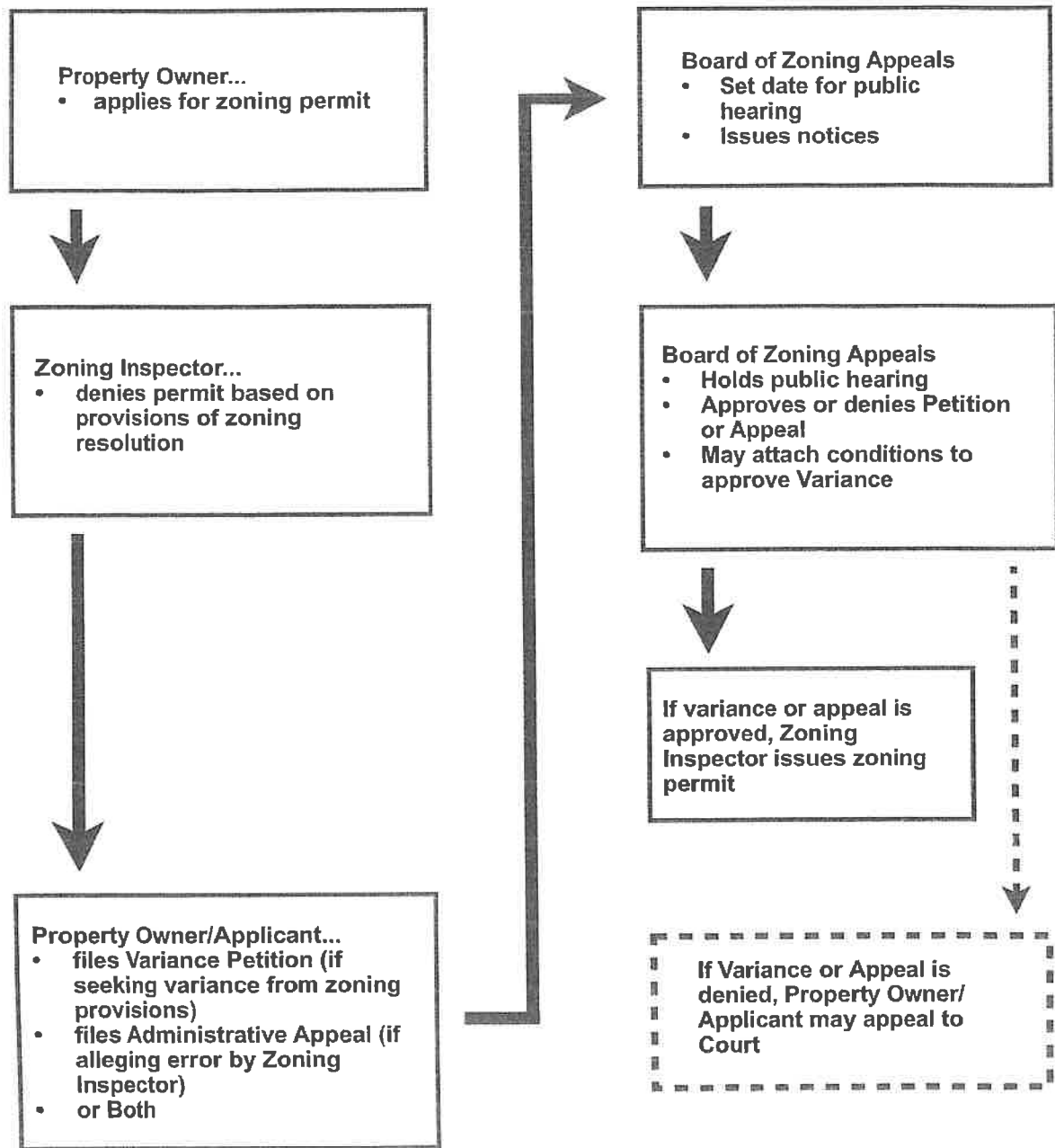
January 17, 2022

All applications will be accepted no later than 3:00 P.M. on the deadline date at 14228 Galehouse Road, Doylestown.

Make checks payable to: Chippewa Township

Note: **Application deadline is Tuesday

Figure 3: Zoning Variance and Appeals Process



B. Variances

To authorize, upon appeal, in specific cases, such variances from the terms of the Zoning Resolution as will not be contrary to the public interest, where, owing to special conditions a literal enforcement of this Resolution will result in unnecessary hardship or practical difficulty, and so that the spirit of this Resolution shall be observed and substantial justice done, but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship, or difficulty so great as to warrant a variation from the zoning plan as established by this Resolution, and at the same time, the surrounding property will be properly protected.

C. Conditional Uses

To authorize establishment of conditional uses where such uses are specifically enumerated within a zoning district and where the Board determines that such uses comply with the requirements of Article XIV of this Resolution.

D. District Boundaries

To determine the exact location of any district boundary if there is uncertainty as to the exact location.

The Board shall have the authority to and may grant the following variations:

(a) Permit a variation in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.

(b) The extension or completion of a non-conforming use upon a lot occupied by such use, provided that such lot was under the same ownership as the lot in question on the date such use became non-conforming, and where such extension is necessary and incidental to the existing use; provided, however, that the areas of such extension shall not exceed in all ten (10) percent of the area of the existing non-conforming use and provided further that such extension shall be undertaken within five (5) years of the date when the use becomes non-conforming.

(c) In considering all appeals and all proposed exceptions to this Resolution, the Board shall, before making any exceptions or variations from the Resolution in a specific case, first determine that it will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the portion of the township to which this Resolution applies.

Section 16.04 Standards for Variances

In exercising the power to grant variances, the Board shall make specific findings of fact with regard to the following standards. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty or unnecessary hardship include, at the minimum the following:

- A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

- B. Whether the variance is substantial;
- C. Whether the essential character or the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- D. Whether the variance would adversely affect the delivery of government services (i.e., water, sewer, garbage, fire, police, or other);
- E. Whether the property owner purchased the property with the knowledge of the zoning restriction;
- F. Whether the property owner's predicament can be obviated through some method other than a variance;
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;
- H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Resolution or other adopted plans of the Chippewa Township Trustees;
- I. Whether the variance requested arises from a condition which is unique and which is not generally shared by other properties in the same zoning district, and which is created by the Zoning Resolution and not by any action or actions of the property owner or the applicant; and
- J. Whether the variance desired will adversely affect the public health, safety, morals or general welfare.
- K. Any other conditions that the Board of Zoning Appeals may deem necessary.

Section 16.05 Procedures for Administrative Appeals and Variances

A. Administrative Appeals

The appellant shall submit a written statement describing the administrative action or decision appealed, the allegation of any error of law, the basis for such allegation, and the requested relief. Such appeal shall be taken within twenty (20) days after the subject action or decision by filing the written statement with both the Zoning Inspector and the Board of Zoning Appeals. The Zoning Inspector shall transmit to the Board all papers constituting the record upon which the action appealed was taken.

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 appeal shall have been filed with it that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court or equity, after notice to the officer from whom the appeal is taken and on due cause shown.

The Board shall refer all applications for conditional uses or other use interpretation questions to the Zoning Commission for recommendation at least ten (10) days before the hearing on said matter.

INFORMATION FOR THE VARIANCE APPLICANT

- APPLICANT SHALL COMPLETE AND SUBMIT THE VARIANCE APPLICATION FORM WITH ALL THE NECESSARY PAPERWORK BEFORE THE DEADLINE
- VARIANCE FEE (CASH OR CHECK) MUST BE PAID AT THE TIME OF VARIANCE APPLICATION IS SUBMITTED
- THE ZONING DEPARTMENT WILL:
 - SEND LETTERS TO THE CONTIGUOUS PROPERTY OWNERS
 - POST A SIGN WITH THE DATE OF THE ZONING PUBLIC HEARING IN THE APPLICANTS PROPERTY
 - ADVERTISE AN LEGAL NOTICE OF HEARING IN THE DAILY RECORD
- THERE IS NO GUARANTEE OF APPROVAL OF VARIANCE
- THERE ARE NO REFUNDS
- IF VARIANCE IS APPROVED, YOU WILL NEED A ZONING CERTIFICATE AND THERE IS A FEE FOR THE ZONING CERTIFICATE.
- PLEASE RETURN SIGN AND POST TO THE MEETING.

Thank you for being patient and cooperative with the variance process.



CHIPPEWA TOWNSHIP
VARIANCE REQUEST TO THE BOARD OF ZONING APPEALS
(BZA)

Please fill out this application. All information and application fees in this application must be submitted by the filing deadline (a copy is attached) or the application will not be processed. Application must be made by the owner of the property. Application before the BZA must pass the motion by three yes votes for granting. Provide this completed application, along with other material submitted to the Chippewa Township Zoning Department for processing. All meetings for this request will be heard at the Township Hall located at 14228 Galehouse Road, Doylestown, Ohio 44230. The owner and/or agent must be present at the hearing for this matter to be heard by the BZA.

Application fee _____ Date of hearing _____ Time of hearing _____ P.M.

Type of variance request _____ use variance _____ area variance _____ other _____

Relief from Article _____ Section _____ of the zoning resolution. VARIANCE NO. _____

Brief Description _____

This Section to be completed by Township Zoning department.

I. General Information (please type or print)

1) Applicant/Owner's Name _____

Address of Property _____

Mailing Address _____

Phone _____ Fax _____

2) Agent for Owner Name _____

Mailing Address _____

Phone _____ Fax _____

3) Location of the Property Section _____ Quarter _____

4) Current Zoning Classification _____

5) Lot Frontage _____ Lot Depth _____ Acreage _____

6) Legal Description _____ Copy of deed (attached) _____ Other _____

7) Authorization for _____ (name) to act as my agent at the hearing.
A notarized written authorization must be attached from the owner granted an agent permission to speak
and present this request on the behalf of the owner.

Authorization attached _____ yes _____ no

8) Building information

Number of existing accessory buildings _____ Dwellings _____ Proposed buildings _____

Proposed accessory building _____ Width _____ Length _____ Height _____

Proposed dwelling _____ Width _____ Length _____ Height _____

Proposed sign _____ Width _____ Length _____ Height _____

See attached plot plan for location of buildings.

II. Description of Variance Request

1. Describe your proposed request _____

III. Approval criteria for Variances

For reasons fully set forth in the written findings, the literal application provision would result in unnecessary and undue hardship or practical difficulties for the applicant, as distinguished from mere inconvenience.

1. Hardship or practical difficulties _____

IV. Required Attachments

1. **Proof of Ownership** – A copy of the deed, option to buy agreement or lease purchase agreement.
2. **Detailed Site Plan (3 copies full size, to scale 8 ½” x 11” or larger, if needed).** A detailed site plan must include the following.
 - a. Size of lot and dimensions drawn to an appropriate engineer’s scale.
 - b. Location and size of all buildings, indicating setbacks of buildings (existing and proposed).
 - c. Size of parking areas showing parking spaces and setbacks, if applicable.
 - d. Indicate existing and proposed landscape features, if applicable.
 - e. Parking area showing number of spaces, size bumper guards, curbs, curb cuts, traffic circulation patterns, sidewalks, fences, shrubs, ground cover, hedges and lighting, if applicable.
 - f. Type of hard surface, if applicable.
 - g. Drainage features, if applicable.
3. **Tax Map** - Copy from Township Office.
4. **Photographs of the Property** – Submit 3”x5” photographs showing the property from the north, south, east and west direction.
5. **Provide this application, site plan, notarized authorization, if required, deed, plat, etc.**
6. **Provide a list of the owners of all property contiguous to and directly across the street from the subject property.** A list of such contiguous property owners and their addresses of such owners appearing on the Wayne County Auditor’s current tax list. To obtain this information from the Wayne County Auditor’s website, the address is www.waynecountyauditor.org.

PLEASE SIGN BELOW:

I hereby certify that all statements made in this application are true and complete and that I have a legal right or do possess a written power of attorney on above premises. A Variance can only be granted to the Owner of the property.

SIGNATURE

DATE

APPLICANT/OWNER'S NAME _____ VARIANCE NO. _____

LOCATION OF PROPERTY _____

PROVIDE A LIST OF THE OWNERS OF ALL PROPERTY CONTIGUOUS TO AND DIRECTLY ACROSS THE STREET FROM THE SUBJECT PROPERTY. A LIST OF SUCH CONTIGUOUS PROPERTY OWNERS AND THEIR ADDRESSES OF SUCH OWNERS APPEARING ON THE WAYNE COUNTY AUDITOR'S CURRENT TAX LIST.

CONTIGUOUS PROPERTY'S OWNERS PARCEL NO. ADDRESS	CONTIGUOUS PROPERTY'S ADDRESS	CONTIGUOUS PROPERTY OWNERS NAME	CONTIGUOUS PROPERTY'S MAILING

APPLICANT'S SIGNATURE _____

DATE _____