

OFFICE OF THE ZONING HEARING EXAMINER



ZONING HEARING EXAMINER APPLICATION

FOR OFFICE USE ONLY

File No. _____
Date Filed _____
Type _____
Legal Ad _____
Hearing Date _____
Decision _____
Date of Decision _____

SUBJECT PROPERTY

ADDRESS _____
BASE ZONING CLASSIFICATION _____
ZONING OVERLAY _____

APPLICANT _____ TELEPHONE _____

ADDRESS _____
CITY _____ STATE _____ ZIP CODE _____

OWNER _____ TELEPHONE _____

ADDRESS _____
CITY _____ STATE _____ ZIP CODE _____

TYPE OF REQUEST _____

NATURE OF APPLICATION - Briefly describe application request referencing appropriate section of the Zoning Code.

List case numbers of all applications filed within the past three (3) years pertaining to any portion of subject property.

SUBMISSION REQUIREMENTS

- 1. A written statement explaining the request to the Zoning Hearing Examiner.
2. Supporting documents, see list on reverse side.
3. Fee \$300 Submit materials to: Business Development & Permit Center, 3300 Central Pkwy, Cinti., OH 45225.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Signature _____ Date _____

SUBMISSION REQUIREMENTS

Submit three copies of the following (unless otherwise directed by staff):

A statement explaining in detail how the request **meets the criteria stipulated in Chapter 1445 of the Zoning Code**. In addition, an explanation of how the use is to be operated, including hours of operation, number of anticipated employees, occupants and clientele, equipment involved and any special conditions or limitations that the petitioner proposes for the approval of the Zoning Hearing Examiner.

Survey plats, site plans or other accurate drawings showing boundaries, dimensions, area, topography and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed from the nearest property lines.

Plans, architectural drawings, photographs, elevations, specifications of other detailed information depicting fully the exterior appearance of the existing and proposed construction, including parking and access, exterior lighting, landscaping and signs involved in the petition.

The lease, rental agreement or contract to purchase by which the petitioner's legal right to prosecute the petition is established, if the petitioner is not the owner of the property involved or the authorized agent of the owner.

All additional exhibits that the petitioner intends to introduce and/or the identification of exhibits intended to be introduced at the public hearing.

A summary of what the petitioner expects to provide, including the names of petitioner's witnesses, summaries of the testimony of expert witness and the estimated time required for presentation of the applicant's case.

All expert reports shall be filed at least ten (10) days prior to the public hearing.

A list of names and addresses of persons whom you wish to notify of the public hearing other than adjacent property owners.

Required fee \$300. Check made payable to the CITY OF CINCINNATI.

TO HELP AVOID DELAYS AND A POSSIBLE RECONVENING OF THE HEARING, IT IS STRONGLY SUGGESTED THE PROPOSED APPLICATION BE EXPLAINED TO ADJACENT PROPERTY OWNERS AND TO THE NEIGHBORHOOD COMMUNITY GROUP. THIS MAY HELP FACILITATE APPROVAL OF THE PROPOSAL OR, AT LEAST, BRING TO LIGHT POSSIBLE OBJECTIONS THAT MAY SURFACE AT THE HEARING.

Additional Application Requirements for **SPECIAL EXCEPTIONS:**

The following information must be part of your written statement to the Zoning Hearing Examiner, as listed under “Submission Requirements” on the Zoning Hearing Application.

A Special Exception allows for modification of the performance standards enumerated in the Zoning Code. A list of allowable Special Exceptions can be found in Section 1445-07 of the Zoning Code. Special Exceptions may or may not be appropriate in a particular location depending on the impacts on adjacent uses and how potential adverse impacts may be minimized.

Please provide responses to **each** of the following for every Special Exception requested:

- A) How will the proposed development be consistent with the purposes of this code and the specific district where the use is located?
- B) Explain how the proposed development will not substantially diminish or impair the value of adjacent property.
- C) Explain how the proposed development will not have an adverse effect on adjacent properties and the character of the area.
- D) Does the proposed development comply with all other standards imposed on it by this code? Will the proposed development create the need for any other variance or modification of the requirements of this code?

PLEASE NOTE:

This information must be provided before your application will be deemed complete. No hearing will be scheduled prior to a determination of completeness by staff of the Department of Buildings and Inspections.

Additional Application Requirements for **CONDITIONAL USES:**

The following information must be part of your written statement to the Zoning Hearing Examiner, as listed under “Submission Requirements” on the Zoning Hearing Application.

A conditional use has the **potential** of creating adverse impacts that may interfere with the use and enjoyment of adjacent properties and/or the immediate neighborhood. Examples of adverse impacts are the effect the proposed use might have on noise, odors, light, vibrations, traffic, access, and the usefulness or value of neighboring land and buildings.

Please answer the following:

- A) Describe in detail, any **anticipated** adverse impacts the proposed use might have on adjacent properties and/or the immediate neighborhood and the steps you propose to help mitigate those impacts.

- B) If you anticipate the proposed use will **not** generate any adverse impacts on adjacent properties and/or the immediate neighborhood, explain why.

PLEASE NOTE:

This information must be provided before your application will be deemed complete. No hearing will be scheduled prior to a determination of completeness by staff of the Department of Buildings and Inspections.

Additional Application Requirements for VARIANCES:

The following information must be part of your written statement to the Zoning Hearing Examiner, as listed under “Submission Requirements” on the Zoning Hearing Application.

Please answer either (or both) **A** or **B** below, to support your request for a variance from the requirements of the zoning code.

- A) Describe in detail, the special circumstance or condition **unique to your specific property** that prevents you from complying with the zoning requirements of the district in which your property is located.

Or

- B) If you claim a variance is necessary to preserve a **substantial** property right possessed by owners of other properties in the immediate vicinity:
- List the addresses of the properties you wish to cite as examples.
 - Provide the dimensions (if appropriate) and specific examples (photo) of the condition you wish to replicate. For example: dimensions of front, side and rear yard setbacks, lot size, height of structure, location of accessory structures, previous variances granted, etc.

PLEASE NOTE:

This information must be provided before your application will be deemed complete. No hearing will be scheduled prior to a determination of completeness by staff of the Department of Buildings and Inspections.