VARIANCES

Want to build but can't meet our code? Once operated by the Hamilton County Zoning Department, Sycamore Township residents voted in November 1998 to establish their own local zoning and administrative procedures, much like that of the Hamilton County Zoning Department. The change would mean that the Trustees and this board would be making the final zoning decisions in the Township. This new role for Sycamore Township is beneficial to the residents because we will be able to promptly respond to zoning violations and *local people will be making the decisions for our future.* The Board of Zoning Appeals is a commission of five Township residents appointed by the Trustees. This board acts autonomously on proposed variances and appeals. Because no zoning code can encompass all possibilities, the board makes decisions on specific regulations to allow a deviation from the exact "letter of the law." Please contact the Planning & Zoning office for the step by step process to file for a variance or conditional use hearing.

WHAT IS A VARIANCE? A variance is an official approval for a project that would not be permitted as of right by the Sycamore Township Zoning Resolution. No variance shall be granted that is greater than the minimum necessary to relieve the hardship or practical difficulty demonstrated by the applicant. The requested variance must satisfy each of the following standards:

1. is a unique physical condition
2. is not self-created
3. would deny substantial rights
4. is not merely a special privilege
5. must be in harmony with the Township Resolution
6. would not result in a use or development on the subject property that:

    - would be materially detrimental to the public welfare or materially injurious to the enjoyment , use, development value of property or improvements permitted in the vicinity;
    - would materially impair an adequate supply of light due to adverse location of shadow to the properties and improvements in the vicinity;
    - would substantially increase hazardous conditions in the public streets due to traffic or parking;
    - would unduly increase the danger of flood or fire;
    - would unduly tax public utilities and facilities in the areas; or
    - would endanger the public health or safety

HOW DO I APPLY FOR A VARIANCE? A variance may be applied for only after a Zoning Plans Examiner has refused to issue a zoning certificate. Following the refusal of a zoning certificate, if the applicant chooses to proceed with the project, the completed application packet and application fee shall be filed with the Planning & Zoning Department by the date outlined. You may schedule an appointment with the Zoning Director if you have any questions or wish to further discuss details of a case prior to submission.

WHAT IS THE COMPLETE VARIANCE PROCESS?

1.Pre-application meeting

The applicant is encouraged to meet with the Township to discuss their proposal. No fees are due at this time.

2. Submission

All items required for submittal must be submitted by the date outlined. The Township is required by law to give notice of the variance request to all property owners within 200 feet of the property in question and to publish a legal advertisement informing the public of the request in the Cincinnati Enquirer. Surrounding property owners have the right to view the plans submitted and comment or raise concerns in writing or at the public hearing.

3. Public Hearing

The zoning staff will present the facts of the case before the board. After the staff presentation, the applicant will have an opportunity to present additional testimony. *Following comments and questions from the board,* comments from surrounding property owners may be heard. At the conclusion of the Public Hearing, a vote will be taken. This is an unofficial "straw" vote that allows the board to prepare a resolution, which will be presented at the next meeting for formal adoption. The applicant is NOT permitted to begin with construction until the "official" resolution has been passed at the next scheduled BZA meeting. In certain circumstances a resolution may be pre-prepared for the Board's consideration. In addition, the Board reserves the right to continue the Public Hearing in process until the next scheduled meeting.

4. (30) Day Referendum/Appeal Period

Any decision by the Board of Zoning Appeals after the passage of a resolution is not official until a period of (30) thirty days has passed. During that time, any aggrieved party with standing in the case may appeal the resolution to the Hamilton County Court of Common Pleas.

5. Zoning Approval

Once the project has been approved and the thirty (30) day referendum period has passed, the applicant must contact the Planning and Zoning Department to complete the requirements for obtaining the proper zoning certificate(s).

SYCAMORE TOWNSHIP BOARD OF ZONING APPEALS
8540 Kenwood Road
Cincinnati, OH 45236
513.792.7250
www.sycamoretownship.org

CHECKLIST FOR FILING A VARIANCE APPLICATION

Applications for a variance shall be filed **in person** with the Board of Zoning Appeals. A legal notice will be prepared by staff and placed in a newspaper of general circulation prior to the public hearing. The filing fee *includes* this publication. Staff will also prepare, for the applicant a list of names and complete address of the property owners of all lots and lands located within 200' of the property requesting the appeal. Said list will be prepared from the County Auditor's current tax list. The office of the Board will execute all forms, including individual land legal notices necessary for the processing of an application.

Hearings are held by the Board of Zoning Appeals on the 3rd Monday of every month (unless it's a holiday, then it is held on the following Tuesday) at 7:00 PM at the Township Administration Building, 8540 Kenwood Road, Cincinnati, OH 45236.

All complete applications shall include the following information on or before the outlined deadline. *Please submit this checklist with your application.*

1. **THE APPLICATION [Please provide 1 copy]**

2. **LETTER OF INTENT [Please provide 1 copy]**
   An explicit typewritten statement addressed to the Board of Zoning Appeals, setting forth the following:

   _____ Location and size of the property

   _____ A clear accurate description stating the purpose of the request

   _____ Specific sections of the Zoning Resolution in question, or from which the appellant is requesting a variance or relief

   _____ State clearly in fact, hardship or other pertinent information believed to support the variance sought or recommended

3. **THE SITE PLAN [Please provide 10 copies]**
   The site plan shall be drawn to scale of not less than 1 inch equals 50' and shall contain the following information (if applicable to your project):

   _____ A survey that accurately illustrates the property

   _____ Name of the person(s) preparing the plan

   _____ Title, name of the owner & name of the applicant

   _____ North Arrow (North at the top of the plan)

   _____ Property lines, property dimensions, street name(s), site size

   _____ Existing and proposed projects, including site plan and elevations

   _____ Distance from structures to the property lines

4. **THE APPLICATION FEE**
   Variance = $150.00 Conditional Use = $500.00

SYCAMORE TOWNSHIP, OH

DEPARTMENT OF PLANNING & ZONING
8540 KENWOOD ROAD, CINCINNATI, OH 45236

513.792.7250 PHONE 513.792.8564 FAX

BZA APPLICATION

FEES:

APPEAL:	$150.00
VARIANCE:	$150.00
CONDITIONAL USE:	$500.00
NON-CONFORMING USE:	$500.00

COMMERCIAL	RESIDENTIAL

APPLICATION NUMBER

DO NOT WRITE IN THIS SPACE

1. PROJECT ADDRESS: _____ **ZIP CODE:** _____

2. NAME	STREET ADDRESS	CITY	ST	ZIP	PHONE NUMBER
OWNER					
CONTRACTOR					
DESIGNER					
APPLICANT					
APPLICANTS E-MAIL ADDRESS					

3. BZA ACTION REQUESTED: APPEAL ☐ VARIANCE ☐ CONDITIONAL USE ☐ NON-CONFORMING USE ☐

4. STATE IN DETAIL ALL EXISTING & PROPOSED USES OF THIS BUILDING OR PREMISES:

_____

_____

_____

5. SQUARE FEET: _____ **6. USE:** _____ **7. HEIGHT:** _____

8. EST. START DATE: _____ **9. EST. FINISH DATE:** _____

THE DEPARTMENT OF PLANNING & ZONING IS DEDICATED TO THE CONTINUING PROSPERITY OF SYCAMORE TOWNSHIP. WE PROMOTE HIGH STANDARDS FOR DEVELOPMENT AND QUALITY PROJECTS. WE LOOK FORWARD TO SERVING OUR CITIZENS AND BUSINESS COMMUNITY TO MAKE SYCAMORE TOWNSHIP THE BEST IT CAN BE.

The owner of this project and undersigned do hereby certify that all of the information and statements given on this application, drawings and specifications are to the best of their knowledge, true and correct. The applicant and owner of the real property agree to grant Sycamore Township access to the property for review and inspection related to this Board of Zoning Appeals application.

NOTE: FILING THIS APPLICATION DOES NOT CONSTITUTE PERMISSION TO BEGIN WORK.

_____
APPLICANT'S SIGNATURE DATE

_____
PROPERTY OWNER'S SIGNATURE DATE

DO NOT WRITE BELOW THIS LINE

Sycamore Township Board of Zoning Appeals
Schedule of Meeting Dates/Deadlines
for Variances
2016

All submissions must be made by 12 noon local time on the date listed below.

JANUARY		**JULY**	
Deadline:	12/28/2015	Deadline:	06/27/2016
Legal Ad/Notice:	01/08/2016	Legal Ad/Notice:	07/07/2016
BZA Meeting:	**01/19/2016***	**BZA Meeting:**	**07/18/2016**
FEBRUARY		**AUGUST**	
Deadline:	01/25/2016	Deadline:	07/25/2016
Legal Ad/Notice:	02/05/2016	Legal Ad/Notice:	08/04/2016
BZA Meeting:	**02/16/2016***	**BZA Meeting:**	**08/15/2016**
MARCH		**SEPTEMBER**	
Deadline:	02/29/2016	Deadline:	08/29/2016
Legal Ad/Notice:	03/10/2016	Legal Ad/Notice:	09/08/2016
BZA Meeting:	**03/21/2016**	**BZA Meeting:**	**09/19/2016**
APRIL		**OCTOBER**	
Deadline:	03/28/2016	Deadline:	09/26/2016
Legal Ad/Notice:	04/07/2016	Legal Ad/Notice:	10/06/2016
BZA Meeting:	**04/18/2016**	**BZA Meeting:**	**10/17/2016**
MAY		**NOVEMBER**	
Deadline:	04/25/2016	Deadline:	10/31/2016
Legal Ad/Notice:	05/05/2016	Legal Ad/Notice:	11/10/2016
BZA Meeting:	**05/16/2016**	**BZA Meeting:**	**11/21/2016**
JUNE		**DECEMBER**	
Deadline:	05/31/2016	Deadline:	11/28/2016
Legal Ad/Notice:	06/09/2016	Legal Ad/Notice:	12/08/2016
BZA Meeting:	**06/20/2016**	**BZA Meeting:**	**12/19/2016**

*Tuesday meeting due to a holiday on Monday