



# City of New Franklin, Ohio

## ZONING & PLANNING DEPARTMENT

### ZONING APPEAL

#### INSTRUCTIONS AND REQUIREMENTS

Dear City of New Franklin Board of Zoning Appeals (BZA) Applicant:

Please carefully review and complete each of the ten (10) **MANDATORY** items listed below prior to submitting your Zoning Appeal Application to the City of New Franklin Zoning & Planning Department. Please ensure that all ten (10) of the items listed below are submitted at least four (4) weeks prior to the next regularly scheduled City of New Franklin Board of Zoning Appeals meeting.

**NOTE:** Any missing or incomplete items listed below will prevent your Zoning Appeal Application from being processed in a timely manner. In order for the City of New Franklin Board of Zoning Appeals to make an educated and informed decision on your case; all submittals must be accurate, legible, comprehensive and timely.

**IMPORTANT NOTICE: Please submit ten (10) sets of paper copies AND digital copies in (Adobe PDF or Microsoft Word) format to the City of New Franklin Zoning & Planning Department for each of the following items listed below:**

- 1) Prepare a legible and comprehensive site plan drawn to scale on paper no larger than 11" X 17" illustrating the correct dimensions and placement of your proposed project. Your site plan must also indicate the proximity of all adjacent neighboring properties including complete property line boundaries, setbacks and divisions, as well as abutting roads and road right-of-way setback information. Please include the location of all improvements, structures, parking, landscaping, wells (*water, gas and/or oil*), sewer lines, septic systems, gas and/or oil pipelines or other proposed and existing utility features. Illustrate the topography of the property and surrounding properties at an interval sufficient to show the slope characteristics of the entire proposed project area. **Include digital copies in (Adobe PDF or Microsoft Word) format.**
- 2) Prepare a legible and comprehensive set of structural plans to scale on paper no larger than 11" X 17" illustrating the complete dimensions of your proposed structure and/or structures. Include all of the predominant features of your proposed structure and/or structures. (*EX: Doors, windows, roof pitch, decks, porches and etc*). **Include digital copies in (Adobe PDF or Microsoft Word) format.**
- 3) Prepare a materials list itemizing the color and type of materials being used for your proposed project. (*EX: Aluminum, wood, brick, stone, concrete, vinyl and etc*). **Include digital copies in (Adobe PDF or Microsoft Word) format.**
- 4) Our office requires proof of any and all original documentation issued by the Summit County Public Health Department **OR** Summit County Department of Sanitary Sewer Services for residential projects, **OR** the Ohio Environmental Protection Agency for commercial projects. Our office will review and verify your water, septic and/or sewer documentation from one or more of the aforementioned agencies before you are required to submit additional copies for the City of New Franklin Board of Zoning Appeals. **Include digital copies in (Adobe PDF or Microsoft Word) format.**

- 5) You will be required to submit ten (10) sets of clear and detailed 5" X 7" color photographs of the entire project area. Show the proximity of the proposed project area to the primary structure and/or structures on the property, and the proximity of the proposed project area to all of your neighboring properties. **Include digital copies in (JPEG) format.**
- 6) Accurately stake out the proposed project area so our staff and members of the City of New Franklin Board of Zoning Appeals can view the size, location and scope of your proposed project. It is recommended to attach an orange or yellow streamer on each stake to enhance the visibility of the proposed project area.
- 7) If your property, or more specifically the proposed project area on your property is located near a neighboring property situated within a floodplain, wetlands and/or riparian zone; you will be instructed to seek a written evaluation from the Summit Soil and Water Conservation District and/or a Certified Professional Engineer to address any storm water issues or environmental impact issues prior to appearing before the City of New Franklin Board of Zoning Appeals. If required, please submit original copies of the aforementioned documents to our office for a staff review prior to making additional copies for the City of New Franklin Board of Zoning Appeals. **Include digital copies in (Adobe PDF or Microsoft Word) format.**
- 8) Submit the attached Zoning Appeal Application to our office along with all of the aforementioned items listed on the checklist. Please legibly print your full name, address, telephone number and email address on the attached application. The Zoning Appeal Application must be signed and dated upon submittal to our office.
- 9) **NOTE:** Separate and organize all of the aforementioned documents into ten (10) separate packets placed into ten (10) separate envelopes.
- 10) Submit a nonrefundable check in the amount of **\$340.00** payable to the "City of New Franklin." If your request is approved; please be advised there are additional fees for the issuance of a City of New Franklin Zoning Certificate and a Summit County Building Standards Permit.

Please note that other supplemental documentation for your project may be requested by the City of New Franklin Zoning Staff, City Engineer and/or Board of Zoning Appeals prior to, during or after your public hearing. Please be advised the City of New Franklin Board of Zoning Appeals may **DENY** your appeals request.

**NOTE:** The requirements for variance approval will be determined by review of, but not limited to, the following criterion:

- Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance;
- Whether the variance is substantial;
- Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a "substantial detriment";
- Whether the variance would adversely affect the delivery of governmental services;
- Whether the property owner purchased the property with knowledge of the zoning restriction;
- Whether the problem can be resolved by some manner other than the granting of a variance;

- Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.

**If your appeals case is approved; please be aware a Zoning Certificate and/or Building Permit will be required for your proposed project. Both of the aforementioned items require additional fees.**

**Thank You.**

NOTES: