

NOTICE OF APPEAL
(REQUESTING A VARIANCE)
RUSSELL TOWNSHIP

THIS APPLICATION SHALL BE COMPLETED BY THE APPLICANT

A. Name of Appellant: _____

Address of Appellant: _____

Telephone Number of Appellant: _____

B. Name of Owner of Record: _____

Address of Owner of Record: _____

Telephone Number of Owner of Record: _____

C. Address of the Property: _____
(if different from Appellant's current address)

D. Attach documentation as to authority to file notice of appeal (e.g. deed, power of attorney, lease, or purchase agreement).

E. Attach a legal description of the property, as recorded with the Geauga County Recorder.

F. Provide the current zoning district in which the property is located: _____

G. Provide a description of the existing use of the property: _____

H. Provide a description of the proposed use of the property: _____

- I. Attach two (2) copies of a plan or map, drawn to scale, with a north arrow and date showing the following information:
1. The dimensions (in feet) of all property lines and the total acreage of the property.
 2. The dimensions (in feet) of existing buildings or structures on the property, if any.
 3. The setback (in feet) from all property lines of existing buildings or structures on the property, if any.
 4. The dimensions (in feet) of proposed buildings or structures on the property or of any addition or structural alteration to existing buildings or structures.
 5. The total amount of square feet of floor space for each floor of proposed buildings or structures on the property or of any addition or structural alteration to existing buildings or structures.
 6. The setback (in feet) from all property lines of proposed buildings or structures on the property or of any addition or structural alteration to existing buildings or structures.
 7. The height (in feet) of existing buildings or structures on the property.
 8. The height (in feet) of proposed buildings or structures on the property or of any addition or structural alteration to existing buildings or structures.
 9. The name and location of the existing road(s), public and private, adjacent to the property.
 10. The number of dwelling units existing (if any) and proposed for the property.
 11. The location, dimensions (in feet), and number of parking spaces existing (if any) and proposed.
 12. For commercial and industrial uses: the location, dimensions (in feet), and number of loading/unloading spaces.
 13. The location and dimensions (in feet) of any existing or proposed easements on the property.
 14. The existing topography of the lot, at contours of two (2) feet, and a final grading plan.

- J. For an appeal requesting a variance to sign regulations, provide the following information:
 - 1. Attach two (2) copies of a drawing, drawn to scale and dated, showing:
 - a. The dimensions (in feet) of the sign.
 - b. The area of the sign in square feet.
 - c. The location of the sign on the building, structure, or property including dimensions (in feet) from the front lot lines.
 - d. The height (in feet) of the sign.
 - e. The method of illumination, if any.
 - f. The content of the sign.

- K. Documentation shall be provided that the appropriate governmental agency has approved the sewage treatment facility to serve the proposed use on the lot.

- L. Provide a copy of the approval letter or permit, as applicable, from the Geauga Soil and Water Conservation District concerning the stormwater management and erosion control plan. The "Water Management and Sediment Control" regulations set forth in Section 4.13 of the Russell Township Zoning Resolution may apply and may be required as a part of the application.

- M. Provide the following additional information:
 - 1. State the exact nature of the variance requested: _____

 - 2. Provide the specific zoning regulations from which a variance is requested:

3. Written justification for the requested variance shall be made. If the request is for a “USE” variance, responses to the following questions shall be provided:

a. Why will the variance from the terms of the zoning resolution not be contrary to the public interest? _____

b. Because of what special conditions will an unnecessary hardship result from a literal enforcement of the zoning resolution?

c. What is the unnecessary hardship which will result from a literal enforcement of the zoning resolution owing to the special conditions set forth in paragraph (b) above?

d. How will the spirit of the zoning resolution be observed if the variance is granted? _____

e. Why will substantial justice be done if the variance is granted?

4. Written justification for the requested variance shall be made. If the request is for an “AREA” variance, responses to the following shall be provided:

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 of 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 governmental services. _____

e. Whether the property owner purchased the property with the knowledge of the zoning restriction. _____

f. Whether the property owner's predicament feasibly 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 granting the variance. _____

h. Such other criteria which relate to determining whether the zoning regulation is equitable. _____

I hereby certify that all of the information supplied in this application and attachments hereto are true and correct to the best of my knowledge, information, and belief.

I hereby acknowledge that I understand that the penalty for falsification is imprisonment for not more than six (6) months, or a fine of not more than one thousand dollars (\$1,000) or both.

Appellant's Signature

Date

FOR OFFICIAL USE ONLY

Application Number: _____

Zoning Certificate Application Number: _____

Date Notice Filed with Zoning Inspector: _____

Date Notice Filed with Board of Zoning Appeals: _____

Date of Notice to Parties in Interest: _____

Date of Notice in Newspaper: _____
(provide name of newspaper)

Date of Public Hearing: _____

Amount of Appeal Fee Paid: \$ _____

I hereby acknowledge receipt of this notice of appeal requesting a variance this _____
day of _____ 20 _____.

Signature of Chairman or Secretary
of Russell Board of Zoning Appeals