

Procedure for Filing Zoning Appeal – Variance Request

1. Application for Zoning Permit must be completed by applicant.
2. Plot Plan must be provided by applicant.
3. “Appeal under the Zoning Ordinance” form must be completed by applicant.
4. If requesting a Variance, Letter B must be marked on the form by the applicant.
5. The reason for the variance request must be listed on the form by the applicant. (Be specific – what are they requesting?)
6. Abutting property owners must be identified by name and address. Zoning Office has tax maps that should be used to verify abutting property owners.
7. Applicant must provide a letter or memorandum addressed to the Board of Zoning Appeals explaining justification (reason) for Variance Request.
8. Deposit must be paid. (\$300.00 for Residential and Business/Commercial; \$500.00 for Industrial and PUD.) The deposit is used to cover the expense of the Legal Ad, Postage, Court Reporter Appearance Fee, and Administrative Expenses. If expenses are less than the deposit, a refund will be mailed to the applicant. If expenses are greater than the deposit, a bill will be issued to the applicant.
9. Zoning Administrator is precluded from giving legal advice to any applicant for a Variance Request.

Responsibilities at Zoning Hearing

1. Applicant should attend the Zoning Hearing to present the request. If applicant cannot attend, a representative with evidence of full authority must be present.
2. Everyone attending must sign in.
3. Everyone speaking will be sworn in.
4. Applicant must testify and present evidence to support the Variance Request. (Be prepared to orally present your request and your justification to the Board of Zoning Appeals members.)
5. Evidence should be offered to support your position. [For an area variance, the property owner must present clear and convincing evidence that there is an unusual hardship that would prevent them from utilizing the property because of the unique or unusual characterization of the area. Economic reasons, unless it prohibits any reasonable use of the property, are not a reason to grant an area variance.]
6. The Board of Zoning Appeals Members may have questions concerning the Variance Request. Anyone with pertinent information may be sworn in and offer testimony concerning the Variance Request.
7. Others, including members of the general public, present at the hearing will be given the opportunity to make comments for or against the request.
8. The Board of Zoning Appeals can ask for additional information. If that information is not readily available, the hearing may be continued to another date.
9. After listening to testimony, the Board of Zoning Appeals will make a motion to grant or deny the Variance Request. Roll call vote will be taken at the meeting. Results will be announced.
10. The Board of Zoning Appeals has the discretion to either grant or deny the Variance Request.
11. If approved, variance will be effective five working days from date of decision.
12. If the applicant is dissatisfied with the decision of the Board of Zoning Appeals, an appeal may be filed in the Trumbull County Court of Common Pleas; however, the Zoning Administrator and other employees or elected officials of the Village are precluded from assisting the applicant or answering any questions concerning such an appeal.