

# WESTFIELD TOWNSHIP ZONING

## APPLICATION FOR AREA VARIANCE

**INCOMPLETE APPLICATIONS AND APPLICATIONS WITHOUT FULL PAYMENT WILL NOT BE ACCEPTED AND MAY RESULT IN A DELAY IN THE PROCESSING OF THE APPLICATION.**

Name of Applicant \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Business \_\_\_\_\_

Cell Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Address of Property Requesting the Variance \_\_\_\_\_

Permanent Parcel Number \_\_\_\_\_ Township Zoning District \_\_\_\_\_

Tax Map Address Slip

Property Size in Acres \_\_\_\_\_ Aerial Photo of Property

Drawing of Property showing dimensions

Please attach Name & Address of Property Owners Adjacent to and Across the Street from Variance Location. The above requirements are available from Medina County Tax Map Office or online at [www.highwayengineer.co.medina.oh.us](http://www.highwayengineer.co.medina.oh.us). Please note it is the responsibility of the applicant to supply correct/current tax mailing addresses for all contiguous property owners

Existing Use \_\_\_\_\_

Description of Area Variance including Section No. of the Zoning Resolution

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Supporting Information (as applicable)

Provide plans showing location of existing buildings, parking and loading areas, traffic access and circulation drives, and any other accessory structures on this property. Then show location, area, height, setbacks, yard, or other dimensional requirements of the district and any other information to assist this application.

**NOTE: Nine (9) copies of the application and supporting information are required.**

**Will structure be used for agricultural use? Please circle Yes or No.**

Applicant \_\_\_\_\_

Date \_\_\_\_\_

**Applicant has been given a copy of the Duncan Factors and Rules of Procedure of the Board of Zoning Appeals.**

**Revised 7/09**

## AREA VARIANCE STANDARD-PRACTICAL DIFFICULTIES

### Duncan Factors

1. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance;
2. Whether the variance is substantial;
3. Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a “substantial detriment”
4. Whether the variance would adversely affect the delivery of governmental services i.e. fire and ambulance services
5. Whether the property owner purchased the property with knowledge of the zoning restrictions;  
Use variance: Self-imposed Hardship **is** fatal  
Area variance: Self-imposed Hardship is not fatal, rather the hardship should be balanced with other Duncan Factors.
6. Whether the problem can be solved by some other manner other than the granting of a variance;
7. Whether the variance preserves the “spirit and intent” of the zoning requirement and whether “substantial justice” would be done by granting the variance.

Cannot apply one factor, must consider all factors plus any other fact that is relevant.

Area Variance  
Official Use Only

1. Date Filed \_\_\_\_\_
2. Application Fee Paid \$ \_\_\_\_\_
3. Fee Receipt Number \_\_\_\_\_
4. Date of Notice to Parties in Interest \_\_\_\_\_
5. Date of Notice in Newspaper \_\_\_\_\_
6. Date of Public Hearing \_\_\_\_\_
7. Date of Board Decision \_\_\_\_\_
8. Decision of Board \_\_\_\_\_
9. If Approved, supporting reasons \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. If Denied, reason for denial \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11. B.Z.A. Secretary \_\_\_\_\_ Date \_\_\_\_\_
12. B.Z.A. Chairman \_\_\_\_\_ Date \_\_\_\_\_