

SYMMES TOWNSHIP

Board of Zoning Appeals

9323 Union Cemetery Road
Cincinnati, Ohio 45140-9386

INSTRUCTION TO APPELLANT FOR FILING VARIANCE REQUESTS

1. OBTAINING THE REFUSAL

A Board of Zoning Appeals case may be submitted by filing an application for Zoning Certificate with the Hamilton County Planning & Development Department/Zoning Division located in Room 801, 138 East Court Street, Cincinnati, Ohio 45202. A complete application shall include a Zoning Certificate application, a copy of the Field Order (if applicable), four (4) sets of a site plan reflecting all details of the proposed work and one (1) set of your structural drawings. If the Plans Examiner refuses to issue the Zoning Certificate and the applicant chooses to appeal to the Board, a letter of refusal will be typed and mailed to the applicant stating the reason for the refusal and the code sections under which the appeal may be heard by the Symmes Township Board of Zoning Appeals. A deposit (refer to zoning certificate form) is required prior to issuance of the written refusal.

Note: An appeal must be filed by a person having a legal and/or equitable interest in the property affected in the appeal or by an attorney representing the person having legal or equitable interest. The Board requires the owner or his legal counsel to be present at the public hearing. An officer of a corporation or a general partner of a partnership may file a written appeal on behalf of a corporation having legal and/or equitable interest in the property affected. However, a corporation or a partnership must be represented by legal counsel at a public hearing.

2. FILING AN APPEAL

A case shall be filed personally with the **Planning & Development Department/Zoning Division located in Room 801, 138 East Court Street, Cincinnati, Ohio 45202**. Cases shall be filed a minimum of one (1) month prior to the Board of Zoning Appeals meeting which typically occurs on the first Monday of each month. A complete application shall contain the following information:

- a. One (1) completed Board of Zoning Appeals application along with a typewritten statement noting the location and size of the property, a clear and accurate description of the proposed construction or use of the property, specific sections of the Zoning Resolution from which the appellant is requesting a variance or relief and stating clearly any fact or hardship, or other pertinent information believed to support the variance sought.
- b. Twelve (12) sets of a site plan and related drawings. Copies of the same plans previously submitted for a Zoning Certificate may be used when filing for an appeal, provided the plans are drawn to scale and show the actual shape and dimension of the lot to be built upon, the exact size and location of the buildings and accessory buildings existing, the exact size and location of the proposed building or structures including parking areas, the existing and intended use of each building or part of a building, the number of families or housekeeping units the building is intended to accommodate and such other information with regard to the lot and neighboring lots as may be necessary to provide for a proper hearing and determination of the case. (Please note: When a new dwelling or non-residential building is being constructed, the proposed site plan must be prepared by a surveyor registered in the State of Ohio. When a residential addition of 600 or less and at least 10 feet from a property line, or the use of an existing building or premises is involved, the site plan must be based on an actual survey. IF YOUR DRAWINGS ARE OVERSIZED, PLEASE PROVIDE ONE (1) 11" X 17" SET.)
- c. A fee is required when the case is filed. Please check with staff for the specific amount due. (All checks must be made payable to Symmes Township Zoning.)

The Township will prepare, for you, a typewritten list of names and complete addresses of the property owners of all lots and lands within two hundred (200) feet of the property in question. The list will be prepared from the County Auditor's current tax list as of record in CAGIS (Cincinnati Area Geographic Information System). The generated list will be utilized in the sending out notices to those affected property owners prior to the hearing.

A legal notice will be prepared by Symmes Township and placed in a newspaper of general circulation in the County two (2) weeks prior to the public hearing. The applicant will receive the bill directly from Symmes Township for the legal notice.

3. THE PUBLIC HEARING

Once your documents have been submitted, the case will be heard at a public hearing held by the Symmes Township Board of Zoning Appeals at their regularly scheduled meeting. **Meetings are held at the Symmes Township Administration Building, 9323 Union Cemetery Road, Symmes Township, Ohio 45140-9386.** The Board typically meets on the first Monday of every month at 7:00 p.m. **Contact Luanne Felter at 513-683-6644 for additional scheduling information.**

4. THE ZONING CERTIFICATE

Following the public hearing, a resolution of "Approval" or "Denial" will be adopted by the Board of Zoning Appeals. Copies of that decision are then forwarded to the applicant. If the Board approves the request the applicant may then begin to file for the permit to begin their project. If the plans have changed or conditions of the approval from the Board warrant changes in the originally filed plans, four (4) copies of the modified/approved plan will be required for the zoning certificate processing, along with the balance of the applicable zoning certificate fee. **All zoning certificate fees for structures built prior to the issuance of a zoning certificate will be doubled.**