

**BOARD OF ZONING APPEALS – APPLICATION FOR CONDITIONAL USE**

APPLICANTS NAME: \_\_\_\_\_ PHONE#: \_\_\_\_\_

APPLICANTS ADDRESS: \_\_\_\_\_

PROPERTY OWNER'S NAME: \_\_\_\_\_ PHONE # \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

SUBDIVISION \_\_\_\_\_ LOT# \_\_\_\_\_ TAX PARCEL# \_\_\_\_\_ (Tax Parcel Information must be provided. See your property tax ball or contact the Pickaway County Auditor's office 740-474-4765 or at <https://pickaway.iiviewauditor.com/>)

ZONING DISTRICT\* \_\_\_\_\_ CONDITIONAL USE SOUGHT (Section Number)\* \_\_\_\_\_

CONDITIONAL USE DESCRIPTION \_\_\_\_\_

(\*For District and Conditional Use section, see [https://codelibrary.amlegal.com/codes/circleville/latest/circleville\\_oh/0-0-0-26079](https://codelibrary.amlegal.com/codes/circleville/latest/circleville_oh/0-0-0-26079))

**CHECKLIST OF MATERIALS TO SUBMIT WITH APPLICATION (Cod. Ord. Section 1119.03)**

Any person owning or having an interest in property may file an application to use such property for conditional uses provided for by this Zoning Ordinance in the zoning district in which the property is situated. An application for a conditional use shall be filed with the Zoning Inspector, who shall forward a copy to the members of the Board of Zoning Appeals. **The application shall contain the following information:**

- (a) All of the information required for a zoning permit, pursuant to Section 1113.03.
- (b) A plan of the proposed site for the conditional use showing the location of all buildings, traffic circulation, open spaces, landscaping, refuse, and service areas, utilities, signs, yards, and such other information as the Board of Zoning Appeals may require to determine if the proposed conditional use meets the intent and requirements of the Zoning Ordinance. [Include lot size, building dimensions, and front, side, and rear setback distances.]
- (c) A narrative statement evaluating the effects on adjoining property, and a discussion of the general compatibility with adjacent and other properties in the district.
- (d) The names and addresses of all property owners within 100 feet, contiguous to, and directly across the street from the property, as appearing on the Pickaway County Auditor's current tax list.
- (e) Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the deliberations of the Board of Zoning Appeals.

NARRATIVE STATEMENT – Include a narrative statement addressing how the requirements in Section 1121.03 General Standards for Conditional Uses, a. through g, shall be met. (See list on page 2)

I hereby state that the information shown above and on the plot plan and any other information submitted, is accurate.

DATE: \_\_\_\_\_ SIGNATURE OF APPLICANT: \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE \* FOR OFFICE USE ONLY \***

APPLICATION RECEIVED BY \_\_\_\_\_ DATE: \_\_\_\_\_ FEE PAID \$ \_\_\_\_\_

CASH or  CHECK# \_\_\_\_\_ DATE APPLICATION DEEMED COMPLETE: \_\_\_\_\_ by \_\_\_\_\_

ON \_\_\_\_\_ THIS PERMIT WAS APPROVED \_\_\_\_\_ REJECTED \_\_\_\_\_ SUBJECT TO THE

FOLLOWING CONDITIONS/COMMENTS (or reference written decision): \_\_\_\_\_

IF THE CONDITIONAL USE PERMIT IS APPROVED AND SIGNED BY THE CHAIR OF THE BOARD OF ZONING APPEALS, THE ADMINISTRATIVE OFFICER IS HEREBY AUTHORIZED TO ISSUE A ZONING PERMIT, BEING IN AND SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF THE ZONING CODE.

CHAIR OF THE BOARD OF ZONING APPEALS \_\_\_\_\_ DATE \_\_\_\_\_

**1121.05 PUBLIC HEARING BY THE BOARD OF ZONING APPEALS.**

The Board of Zoning Appeals may hold a public hearing within thirty (30) days from the receipt of the application specified in Section 1121.02. The requirements for public notice and notification of parties of interest shall be the same as for appeals and/or variances as specified in Section 1119.05 and 1119.06.

**1121.03 GENERAL STANDARDS FOR CONDITIONAL USES.** The Board of Zoning Appeals **shall not approve** a conditional use unless it shall, in each specific case, make specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location **shall meet all of the following requirements:**

- a. Will be harmonious with the existing or intended character of the general vicinity and that such use will not change the general character of such area.
- b. Seeks to maintain, and will not be hazardous to, the health, safety and welfare of the existing neighboring, and the total community.
- c. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- d. Will not create excessive additional requirements for public facilities and services and will not be detrimental to the economic welfare of the community.
- e. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- f. Will have vehicular approaches to the property which shall be so designated as not to interfere with traffic on surrounding public streets or roads.
- g. Complies with any other requirements or standards that are cited under the specific zoning district regulations of this Zoning Ordinance.

**1121.04 SUPPLEMENTARY CONDITIONS.**

In granting any conditional use, the Commission may prescribe appropriate conditions and safeguards in conformance with this Zoning Ordinance.

**1121.06 ACTION BY THE BOARD OF ZONING APPEALS.**

Within sixty (60) days after the public hearing pursuant to Section 1121.05, or within sixty (60) days from the date of the application if such hearing is not held, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 1121.04, or disapprove the application as presented. If the application is approved with supplementary conditions, the Board of Zoning Appeals shall direct the Zoning Inspector to issue a zoning permit listing the specific conditions listed by the Board of Zoning Appeals for approval. If the application is disapproved, the applicant may seek relief pursuant to the Ohio Revised Code. If no action is taken by the Commission within the specified time frame, the application shall be considered as approved.

**1121.07 EXPIRATION AND REVOCATION OF ZONING PERMIT ISSUED UNDER CONDITIONAL USE PROVISIONS.**

The approval of the zoning permit issued in accordance with Section 1121.06 shall become null and void if such use is not carried out within one (1) year after date of approval; however, the Board of Zoning Appeals may grant an extension of a zoning permit for a conditional use for an additional period of six (6) months. The Board of Zoning Appeals may revoke the zoning permit, if it finds, based upon written evidence by any citizen or official of the City, of violation of this Zoning Ordinance and/or written terms and conditions upon which approval was based.

ZONING PERMIT INFORMATION – INCLUDE WITH YOUR APPLICATION FOR CONDITIONAL USE PERMIT (See p. 1):

**1113.03 APPLICATION FOR ZONING PERMIT.**

Applications for a zoning permit shall be obtained from the offices of the Zoning Inspector. The application shall contain the following information:

- (1) Name, address, and telephone number of the applicant.
- (2) Legal description of property, as recorded in Pickaway County Recorder's office.
- (3) Existing and proposed uses
- (4) Zoning district in which property is located.
- (5) Plans and/or drawings drawn to approximate scale, showing the dimensions and shape of the lot to be built upon; and the dimensions and location of existing and/or proposed buildings or alterations.
- (6) Height of proposed buildings or alterations.
- (7) Number and dimensions of existing and proposed off-street parking or loading spaces, as applicable.
- (8) Such other material as may be requested by the Zoning Inspector to determine conformance with, and provide for the enforcement of this Zoning Ordinance.

**FILING INSTRUCTIONS:**

- File one application with the Zoning Inspector and seven with the Clerk of the Board of Zoning Appeals, both in care of the Circleville Department of Public Service, Zoning Office, 104 E. Franklin St., Circleville, Ohio 43113. Telephone Number: 740-477-8224.
- The City reserves the right to return incomplete applications and to request additional information.
- See Schedule for Hearing Dates and Deadlines for submittal of complete applications.

**THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK**

**TENTATIVE MEETING SCHEDULE – 2021 (CHECK WITH THE CLERK TO CONFIRM)**

**\*\*\* NOTICE ON COVID-19: Due to the Coronavirus Pandemic and State Orders limiting the number of people who may gather in one place and social distancing requirements, Board of Zoning Appeals Hearings are being conducted by video conference until further notice. Contact Pat Hughey, clerk of the board, at 740-474-8219 for details. \*\*\***

<b>Hearing Dates</b>	<b>Submittal Deadlines*</b>	<b>Hearing Dates</b>	<b>Submittal Deadlines*</b>
January 11, 2021	December 21, 2020	July 12, 2021	June 21, 2021
February 8, 2021	January 18, 2021	August 9, 2021	July 19, 2021
March 8, 2021	February 15, 2021	September 13, 2021	August 23, 2021
April 12, 2021	March 22, 2021	October 11, 2021	September 20, 2021
May 10, 2021	April 19, 2021	November 8, 2021	October 18, 2021
June 14, 2021	May 24, 2021	December 13, 2021	November 22, 2021

\* To be scheduled for a hearing on a given meeting date, an applicant for a variance, conditional use, or non-conformity must submit a complete application by the third Monday prior to the meeting date. Appeals submitted within twenty-one (21) days of the receipt of the decision of the zoning inspector or tree commission will be scheduled for hearing if received by the board office on or before the above submittal deadlines for other types of hearings.

All meetings will be held in City Hall, Council Chambers, Second Floor, 127 S. Court St., Circleville, Ohio 43113, unless noticed otherwise or moved to accommodate attendance.

Hearings may be continued at the request of the applicant or upon the motion and vote of the Board of Zoning Appeals.

The Board has reserved the fourth Monday at 7 p.m. to meet as necessary to issue findings of fact, to vote on written decisions and to conduct other business.