

Randolph Township Zoning Department Variance Application Checklist

All applicable items must be submitted.

Incomplete applications or applications submitted without the required fee will not be processed.

- Completed application form and fee.
- Legal description of the property accompanied by a copy of the most current Portage County Tax Map showing the subject property.
- Description or nature of the variance requested.
- A list of property owners as shown on the most recent tax list whose property is contiguous to or directly across the street from the subject property and the mailing addresses of those property owners.
- Narrative statements establishing and substantiating the variance conforms to the standards established below.** Before it may grant any variance, the Board of Zoning Appeals shall find by a preponderance of reliable, probative evidence submitted at hearing(s), and only from such evidence, that the applicable standards set forth in this section are or will be satisfied by the proposed development or use.

1. Use Variance

On application for a use variance, the Board of Zoning Appeals shall review the evidence submitted at the hearing in light of the following standards and shall find that:

- a. The variance is necessary due to special conditions.
- b. A literal enforcement of this Resolution will result in an actual unnecessary hardship to the applicant in the reasonable use of their property.
- c. If the use variance is granted, the spirit and intent of this Resolution will be observed and substantial justice done.
- d. A granting of the variance will not have an adverse impact on the immediate neighborhood, community land use, or be contrary to the Township's Comprehensive Land Use Plan.
- e. The hardship is not self-created. For example, if the property owner purchased the property with the knowledge of the zoning restrictions on the use of the property, it is a self-created hardship.

2. Area Variance

On application for an area variance, the Board of Zoning Appeals shall review the evidence submitted at the hearing in light of the following standards:

- a. Whether the property will yield a reasonable return or whether there can be a 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 adjoining properties 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 problem can be solved by some manner other than the granting of the variance.
- g. Whether the variance preserves the spirit and intent of the Zoning Resolution.
- h. Whether substantial injustice would be done by the denial of the variance.

This checklist is intended to be a tool to help applicants when submitting Zoning applications.

The Randolph Township Zoning Inspector reserves the right to request information that may not be specifically stated on this checklist, as described in the Randolph Township Zoning Resolution.