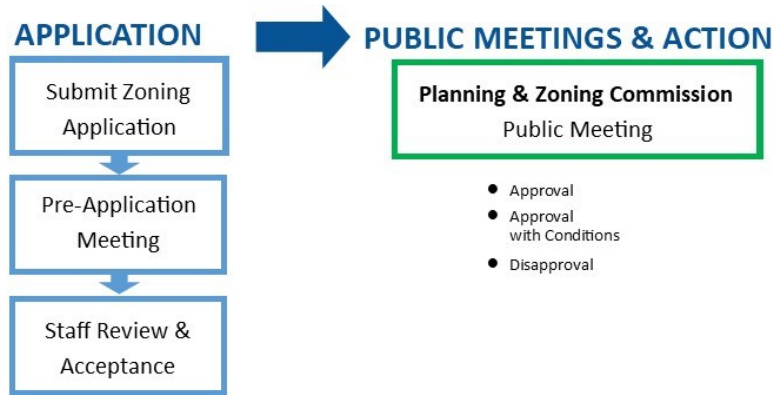


RIPARIAN SETBACK VARIANCE

FEE: \$300.00
CONSULTANT FEES TBD



SUBMISSION PROCEDURES

Over 80 communities in Ohio, including the City of Tallmadge, have adopted riparian setbacks because they help maintain the free services of riparian areas. They also lower costs to residents and communities by keeping homes, infrastructure, and other property out of the path of ever-changing streams without decreasing property values. The Ohio Environmental Protection Agency and Chagrin River Watershed Partners recommend riparian setbacks as part of a community's stormwater management program for flood control, erosion control, and water quality protection. Finally, protection of riparian areas only occurs at the local level, as state and federal agencies regulate activities within the stream channel itself but these agencies are not responsible for maintaining the function of riparian areas. Further information can be found in Title 10 of the Zoning Code (1110.09).

There are some instances where your plans propose a prohibited use within a riparian setback. In this case, you will have the opportunity to present your case before the Planning & Zoning Commission, request a variance if necessary, and identify the best possible approach with minimum impact to the riparian setback.

To complete a proper application for variance

- Submit eight (8) completed application packets + 1 electronic version with payment to the Planning & Zoning Department by the scheduled deadline (checks made payable to City of Tallmadge).

The 8 application packets, stapled or clipped (no loose-leaf uncollated sets), must include the following:

- Typewritten application signed and dated by both applicant and owner
- Plot map of properties within five hundred (500) feet of any part of the property affected
- Site plan of the property with: existing and proposed lot dimensions with existing and proposed lot elevations: location, use, size of all existing and proposed structures, pavement and stream with riparian setback, 100-year flood plain and any wetlands; and, all contiguous properties with existing structures located thereon
- Provide elevation drawings and floor plan (where applicable)
- Written statement of applicable factors (page 2 of application).

Public Meeting and Planning & Zoning Commission Review - what to expect

At the PZC meeting, staff members and the applicant will make presentations regarding the proposed request for Variance from the Riparian Setback. It is the Commission's responsibility to make a decision based on the facts presented within the framework set by the Zoning Code. The Commission may consult with representatives from the Soil & Water Conservation District; the Ohio Department of Natural Resources, Division of Natural Areas; the Ohio Environmental Protection Agency, Division of Surface Water; the County Engineer; the applicable Department of Environmental Services of the County; the County Health Department; or other technical experts as necessary to provide the necessary data for the Planning and Zoning Commission to consider variance requests. Consultant charges will be billed to the applicant prior to any approvals.

Other Approvals:

When the variance is granted, it is valid for one year. Within that time, applications must be made to the Zoning Department for a Zoning Certificate. The granting of a variance does not imply approval of specific plans by the Building Department or other City Departments. Questions about building permits and regulations may be addressed to Summit County Department of Building Standards at 330-630-7280.



PLANNING & ZONING DEPARTMENT | 46 NORTH AVE, TALLMADGE, OH 44278 | P 330.633.0090 | F 330.633.1359 | ZONING@TALLMADGE-OHIO.ORG | WWW.TALLMADGE-OHIO.ORG

OFFICE USE ONLY			
RCT		FEE	
<input type="checkbox"/> PZ	<input type="checkbox"/> SVC	<input type="checkbox"/> STR	<input type="checkbox"/> UTIL <input type="checkbox"/> ENG <input type="checkbox"/> B/C

PLANNING & ZONING CERTIFICATE APPLICATION

BASIC APPLICATION REQUIREMENTS (See the appropriate application guide for any additional requirements)

- Completed & Signed Application Form Application Fee Plot Plan Building Plan Additional per Application Guide

APPLICATION TYPE (Check all that apply)

SITE DEVELOPMENT		AMENDMENT/VARIANCE/APPEAL	
<input type="checkbox"/> Residential Construction	<input type="checkbox"/> Site Plan Review	<input type="checkbox"/> Variance from the Zoning Code	<input type="checkbox"/> Map Amendment
<input type="checkbox"/> Non-Residential Construction	<input type="checkbox"/> General Development Plan	<input type="checkbox"/> Riparian Setback Variance	<input type="checkbox"/> Request for Appeal
<input type="checkbox"/> Demolition	<input type="checkbox"/> Signage		

PROJECT DETAILS

PROJECT: _____

PROJECT ADDRESS/LOCATION _____

EXISTING CONDITIONS	PROPOSED PROJECT DETAILS, WHERE APPLICABLE
---------------------	--

ACREAGE: _____ NO. OF LOTS _____ SQ.FT OF PROPOSED STRUCTURE: _____

ZONING DISTRICT: _____ PROPOSED ZONING DISTRICT: _____

EXISTING LAND USE: _____ PROPOSED LAND USE _____

CHECK ALL THAT APPLY AND PROVIDE DOCUMENTATION: _____

- EASEMENT FEMA FLOODPLAIN RIPARIAN WETLANDS

CONTACT INFORMATION

Applicant

 Company _____
 Address _____
 Phone _____
 Email _____

Architect/Engineer/Surveyor/Other: _____
 Name _____
 Company _____
 Address _____
 Phone _____
 Email _____

Owner

 Company _____
 Address _____
 Phone _____
 Email _____

Architect/Engineer/Surveyor/Other: _____
 Name _____
 Company _____
 Address _____
 Phone _____
 Email _____

SIGNATURES & ENDORSEMENTS

_____ I UNDERSTAND THAT I MUST CONTACT SUMMIT COUNTY DEPARTMENT OF BUILDING STANDARDS (330-630-7280) TO VERIFY BUILDING DEPARTMENT REQUIREMENTS FOR APPLIED PROJECTS.

_____ I UNDERSTAND THAT I MUST CONTACT THE CITY OF TALLMADGE ZONING DEPARTMENT WHEN THE PROJECT IS STAKED OUT FOR SETBACK COMPLIANCE. I AM RESPONSIBLE FOR DETERMINING PROPERTY LINES AND MAINTAINING THE APPROVED SETBACKS.

The undersigned hereby certifies that the information in and with this application is accurate, and consents to employees and/or agents of the City entering the premises for inspection verification of the information submitted.

Applicant's Signature _____ Date _____

Owner's Signature _____ Date _____

VARIANCE REQUEST

Application is hereby made for a Riparian Setback Variance from the requirements of the Zoning Code of the City of Tallmadge, Ohio under the discretionary power vested in the Planning & Zoning Commission by Title 10, Section 1110.09 Riparian Setbacks.

VARIANCE IS REQUESTED FROM THE FOLLOWING REQUIREMENTS: (INCLUDE SPECIFIC REFERENCE IN ZONING CODE)

STATEMENT OF APPLICABLE FACTORS

To obtain a variance, an applicant must show evidence, to the satisfaction of the Planning & Zoning Commission (PZC) that strictly adhering to the Zoning Code's standards would result in certain factors for the applicant. To this end, a written statement as to the degree of hardship these regulations place on the applicant and the availability of alternatives to the proposed activity must accompany the application. Additional documents may be submitted as further proof.

A. Provide technical and scientific evidence on the extent to which the requested variance impairs the function of the riparian area.

B. Provide soil type and natural vegetation and percentage of the parcel that is in the 100-year floodplain. (include mapping)

C. Provide a statement to the degree of hardship these regulations place on the applicant and the availability of alternatives to the proposed activity.