

APPLICATION FOR VARIANCE
Board of Zoning Appeals
Morrow County, Ohio

Application No. V14-008

Name of Applicant: Morrow Meadows Development

Mailing Address: PO Box 278 Marenco OH 43334

Phone Number: Home _____ Business 419-253-6031

1. Locational Description: Subdivision Name: _____
Section _____ Township Bennington Range 16
Other Designation _____ Block _____ Lot No. _____

(If not in a platted subdivision attach a legal description)

2. Nature of Variance: Describe generally the nature of the variance _____

Allow Day Care Center in C-2 Zoning District in
Place of Day Care Home Type A as mispermitted by county zoning
office.

In addition, plans in triplicate and drawn to scale must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question.

3. Justification of Variance: In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true: (Please attach these comments on a separate sheet)

- a. special conditions exist peculiar to the land or building in question;
- b. that a literal interpretation of the ordinance (resolution) would deprive the applicant of rights enjoyed by other property owners;
- c. that the special conditions do no result from previous actions of the applicant; and
- d. that the requested variance is the minimum variance that will allow a reasonable use of the land or buildings;

I certify the information contained in this application and its supplements is true and correct.

Date _____

Applicant

Morrow County Zoning Office

80 N. Walnut Street, Suite C
Mount Gilead, Ohio 43338

Phone: (419) 946-1911
Fax: (419) 947-1072

www.morrowcountyohio.gov

To: Morrow County Board of Zoning Appeals
Subject: Justification for Variance V14-004 – Day Care Center Use Request

Morrow Meadows was issued a zoning permit to construct a Day Care Center at 63 Sportsman's Dive in Marengo Ohio on September 2nd 2014. At this time construction began. It was brought to the attention by an outside party that this was not a permitted use in the C-2 Zoning District. Upon review of the regulations this office has found that it is not a permitted use and a variance was appropriate.

A "Day Care Home, Type A" is listed as a conditionally permitted use in C-1 and at the time of permit issue it was misread as "Day Care" and thought to be a permitted use in C-2 as all C-1 uses are permitted in C-2 subject to C-2 regulations. Lacking any further mention of Day Care Center in C-2 uses a permit was issued. It should be noted that it is most likely a transcription error when the code was written as a "Day Care Home" is a residential use and should not appear in the commercially zoned districts.

Morrow Meadows has expended significant funds in the construction thus far of their building and applied for and was granted the permit in good faith. The hardship that has been created is not of their own doing and is the due to a misreading of the zoning regulations by the zoning office at the time of permit issuance.

The nature of a daycare center would create no more burden on surrounding property owners than other permitted uses for the C-2 Zoning District.

Respectfully,



David A. Gentile CFM
Interim Morrow County Zoning Inspector
ZoningInspector@MorrowCounty.info
(419) 946-1911