

CITY OF MIDDLEBURG HEIGHTS

Building Division

15700 BAGLEY ROAD, MIDDLEBURG HEIGHTS, OHIO 44130

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PLANNING COMMISSION CONDITIONAL-USE APPLICATION

All projects to be placed on the agenda may be reviewed and receive approval from Engineering, Building, Architectural, City Planner, and Fire where required, at least **30 Days prior to the meeting date**: Applicant agrees to pay the review fees. ***NOTE:** Architectural Review and Engineering Review deposits must be paid before the plans will be sent out. Projects will not be placed on the agenda until the fees are paid the reviews are complete. **It is the Applicant's responsibility to contact the Building Department for estimated fees.**

Complete the **entire** form and submit the signed original with **ALL** of the following:

- Twelve (12) complete and collated copies of all exhibits including documents/plans/drawings/photographs
- A legal description of the property
- A detailed description of the existing use and proposed use
- Complete application evaluating the effects on adjoining property in accordance with Zoning Code Section 1143.01(b) and demonstrating there is adequate evidence that the proposed conditionally permitted use is consistent with the review standards listed in Zoning Code Section [1143.03](#)
- Exhibits establishing conformance with the specific standards listed in Zoning Code Section 1143.04
- A USB flash drive containing PDF files of all documents, or email the files to kearley@middleburgheights.com
- Proof of ownership, legal interest, or written authority
- Application Fee \$125 please make checks payable to the "City of Middleburg Heights"

All fees, other than Engineer and Architect review deposits that were overestimated, shall be nonrefundable and nontransferable. Any substantial alteration to the original plans will be considered a new proposal and will be charged at the scheduled rate.

Please note in accordance with Zoning Code Section 1143.02(b) contiguous property owners will be notified and you will be given a sign to post indicating the time and date of the Planning Commission meeting. Please leave the sign posted until the Commission takes action upon your request.

Name of the Business Involved _____ Phone _____

Address of the Property Involved _____

Permanent Parcel No. _____ Current Zoning District _____

Property Owner Name, Address, Phone _____

Agent's Name, Address, Phone, and Email _____

Specific Conditional Use Permitted in Zoning Code Section 1129.07 _____

Applicant's Printed Name

Applicant's Signature

FOR CITY USE ONLY

PC AGENDA NO.
RECEIVED
CHECK NO./AMT.

Building Department Approval

In reviewing any application for a conditional use permit, the Planning Commission shall consider whether there is adequate evidence that the proposed conditionally permitted use is consistent with the review standards below. Please describe how the proposed use meets the standards.

1. Is the proposed use an identified conditional use as established in the Land Use Matrix Table in Section [1129.07](#)? _____

2. Describe the existing use and the proposed use of the property. _____

3. Describe how the proposed use will be harmonious with and in accordance with the general objectives, or with any specific objective, of the Zoning Code, Comprehensive Plan, or any other relevant planning document? _____

4. Describe how the proposed use will be designed, constructed, operated, and maintained in a manner that is appropriate and compatible in appearance with the existing or intended character of the general vicinity and how such use will not change the essential character of the same area. _____

5. Describe how the proposed use will not be hazardous or disturbing to existing or future residential land uses. _____

6. Describe how the proposed use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any of those services. _____

7. Describe how the proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. _____

8. Describe how the proposed use will not involve uses, activities, processes, materials, equipment, or operations 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. _____

9. Describe how the proposed use will have vehicular approaches to the property which shall be designed as not to create an interference with the traffic level of service nor create increased traffic safety risks on surrounding public or private roadways. _____

10. Describe how the proposed use will not impede the normal and orderly development and improvement of the adjacent properties and surrounding area for uses permitted in the zoning district. _____

11. Have you verified compliance with the minimum standards for parking and loading, as required in Zoning Code [Chapter 1149](#): Off-Street Parking and Loading Facilities? _____

12. Does the conditional use include fields, courts, or any outdoor business or non-business-related operations or activities within any required yard? _____ If so please submit a landscape plan complying with Zoning Code Section [1143.03\(k\)](#): Buffering and Screening Requirements.

13. When applicable, minimum standards for architectural design or exterior material requirements and site design guidelines provided for in the zoning district for which the proposed conditional use may be located shall apply. If so, please submit plans in compliance with the requirements and guidelines.

14. Specific standards, as set forth in Section [1143.04](#), shall also be satisfied for those identified conditional uses.

Specific Conditional Use Requested: _____
Zoning Code Section: _____

15. Please state how you meet the **specific** review standards and minimum requirements for the specific conditional use being requested in accordance with **Zoning Code Section [1143.04](#)**. _____

I understand in accordance with Zoning Code Section [1143.07](#) a conditional use permit shall be deemed to authorize only one (1) conditional use and such conditional use permit shall automatically expire if, for any reason, one (1) of the following occurs:

- (1) The conditional use has ceased by discontinuance or abandonment for a period of more than one hundred eighty (180) days.
- (2) Such use violated the conditions established in this Zoning Code Chapter [1143](#).
- (3) There is a change of ownership of the property.

Once a conditional use expires, the Applicant must reapply for a conditional-use permit as set forth in Zoning Code Sections [1143.01](#) and [1143.02](#) to re-establish the conditional use.

Applicant’s Printed Name

Applicant’s Signature