BOARD OF ZONING AND BUILDING APPEALS APPLICATION PROCESS

CITY OF MIDDLEBURG HEIGHTS
BOARDS AND COMMISSIONS
15700 Bagley Road
Middleburg Heights, OH 44130
Phone (440) 239-6252
Website middleburgheights.com Email: building@middleburgheights.com

The Board of Zoning and Building Appeals meets the third Wednesday of each month at 6 p.m. in the Council Chambers at City Hall. You can find the upcoming dates on the City Calendar middleburgheights.com. All completed applications, standards of review forms, plans, exhibits, pdf files, and application fees are accepted no less than 30 days prior to the scheduled meeting. Zoning Code Chapter 1127 applies to The Board of Zoning and Building Appeals.

Please Submit:

- Board of Zoning and Building Appeals Application for each request
- The Standards of Review Form for either an area variance or an administrative appeal for each request
- Twelve (12) complete and collated copies of all exhibits and supporting documentation including a site plan or survey of the property showing all structures, driveways, property lines, and setbacks of proposed projects at a reasonable scale to convey the need for the variance, plans/drawings, and photographs - the smallest legible size is preferred (11 x 17)
- PDF files of all documents (USB flash drive or email the files to building@middleburgheights.com)
- Proof of ownership, legal interest, or written authority
- Full payment of the application fees ($20 per variance for residential requests or $50 per variance for commercial requests) payable by check or cash. Please make checks payable to City of Middleburg Heights

After January 1, 2026 please submit through MyGov and send or bring in the paper copies

The Board will hold a public hearing before taking action on an administrative appeal or an application for an area variance. Property owners contiguous to and directly across the street, as well as other interested parties, will be notified of the place, date, and time in accordance with Section 1127.03 of the Zoning Code. You will be given a sign to post notifying residents of your request. Please post the sign in the front window or other visible location until the Board acts on your request. You may remove the sign after final action. Failure to post the sign may result in denial of your variance request. All members of the Board of Zoning and Building Appeals shall have the right to inspect the site which is the subject of the appeal before the public hearing.

You may bring all necessary witnesses, exhibits, and evidence and present the same to the Board at the time of the scheduled hearing. Failure of the applicant/agent to appear at the scheduled hearing may result in dismissal of the application.

All applications must be complete and contain clear descriptions of the specific requests, or they will not be processed. Please submit the variance application as well as the Standards of Review Form for either the proposed area variance or administrative appeal. A separate application must be submitted for each request.

Area variances are variances from a zoning regulation that establishes minimum or maximum areas, heights, distances, separation, volume, or any US customary unit of measurement. Development density shall not be eligible for area variance consideration.

Use variances are not granted by the Board of Zoning and Building Appeals. Use variances are not area variances.

Administrative Appeal is an appeal of an administrative decision made in the enforcement of the Zoning Code. Administrative appeals may be initiated by a person or entity alleging there is an error in any order, requirement, decision, or determination made by the Planning Commission, City Council acting in an administrative capacity, the Design Review Board, the Building Commissioner, or another authorized administrative official in the enforcement of the Zoning Code. An administrative appeal shall be filed within 30 days of the date of the order, decision, or determination.

Approved area variances that are not fully acted upon within 12 months shall be considered null and void.