

NOTICE OF APPEAL
REQUESTING AN AREA VARIANCE
NEWBURY TOWNSHIP

THIS APPLICATION SHALL BE COMPLETED BY THE APPLICANT

- A. Name of Appellant: Juan Javier Huesca Aguirre (CS Landscapes LLC)
 Address of Appellant: 11347 Kinsman Rd Newbury 44025
 Telephone Number of Appellant: 440279 3616
- B. Name of Owner of Record: Juan Javier Huesca Aguirre + Courtney Munn Huesca
 Address of Owner of Record: 14639 Evergreen Drive Burton OH 44021
 Telephone Number of Owner of Record: 440279 3616
- C. Address of the Lot: 11347 Kinsman Rd
- ☒ D. Attach the names and addresses of all parties in interest from the County Auditor's current tax list (all lots adjacent to and directly across the street from the subject lot).
- ☒ E. Attach documentation as to authority to file notice of appeal (e.g., deed, power of attorney, lease, or purchase agreement).
- F. Attach a legal description of the lot, as recorded with the Geauga County Recorder. (west of LSD)
- G. Provide the current zoning district in which the lot is located: 23-Newbury Twp
- H. Provide a description of the existing use of the lot: Landscape Shop/warehouse
- I. Provide a description of the proposed use of the lot: Same as existing - requesting sign variance to allow for existing signage size
- J. Attach eight (8) copies of a plan or map, drawn to scale, with a north arrow and date showing the following information:
1. The dimensions (in feet) of all lot lines and the total acreage of the lot;
 2. The dimensions and elevations (in feet) of existing buildings or structures on the lot, if any.
 3. The setback (in feet) from all lot lines of existing buildings, structures and uses on the lot, if any.
 4. The dimensions and elevations (in feet) of proposed buildings or structures on the lot or of any addition or structural alteration to existing buildings or structures.

5. The total amount of square feet of floor space for each floor of proposed buildings or structures on the lot or of any addition or structural alteration to existing buildings or structures.
6. The setback (in feet) from all lot lines of proposed buildings, structures and uses on the lot or of any addition or structural alteration to existing buildings or structures.
7. The height (in feet) of existing buildings or structures on the lot.
8. The height (in feet) of proposed buildings or structures on the lot or of any addition or structural alteration to existing buildings or structures.
9. The name and location of the existing road(s), public and private, adjacent to the lot.
10. The number of dwelling units existing (if any) and proposed for the lot.
11. The location, dimensions (in feet), and number of parking spaces existing (if any) and proposed.
12. For commercial and industrial uses: the location, dimensions (in feet), and number of loading/unloading spaces.
13. The location and dimensions (in feet) of any existing or proposed easements on the lot.
14. The location and description of existing and proposed landscaping and buffer areas on the lot.
15. The existing topography of the lot, at contours intervals of two (2) feet, and a final grading plan.
16. The location of any exterior lighting fixtures, their maximum lumens and documentation that they are, and will be installed as, full cutoff fixtures.
17. For commercial and industrial uses: the location and dimensions of any exterior display, sales, or storage areas on the lot.
18. The location and dimensions of a fire protection pond and dry hydrant, if applicable.

K. Provide a copy of the driveway culvert pipe permit issued by the appropriate governmental authority, if applicable.

L. Documentation shall be provided that the appropriate governmental agency has approved the sewage treatment facility to serve the proposed use on the lot.

M. Provide eight (8) copies of the approval letter or permit, and the erosion control plan as applicable, from the Geauga Soil and Water Conservation District concerning the storm water management and erosion control plan per Article IV of the Newbury Zoning Resolution. (440-834-1122)

N. Provide the following additional information:

1. State the exact nature of the variance requested: We are requesting to allow our current signage. The sign + pillars are well under 8', however the ornamental landscape statues we added make it above 8'. It measures 10' tall with the statues.
2. Provide the specific zoning regulations from which a variance is requested: 12.010 maximum height requirements - max height of 8'

BZA
AREA

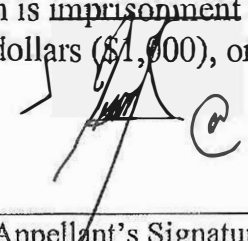
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3. Written justification for the requested area variance shall be made. Response to the following shall be provided:

- a. Whether the lot in question will yield a reasonable return or whether there can be any beneficial use of the lot without the variance? Yes, but the sign was a tribute to father in law & has inherent value
- b. Whether the variance is substantial? No - it would allow our sculptures to remain, which would be 2' bigger than other signs. No major variance needed.
- c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance? No - there are no current complaints & no problems from current existence.
- d. Whether the variance would adversely affect the delivery of governmental services? NO
- e. Whether the lot owner purchased the property with the knowledge of the zoning restriction? No - we were unaware of the 8' max requirement
- f. Whether the lot owner's predicament feasibly can be obviated through some method other than a variance? Not sure - it breeches the max height so we are seeking proper method to resolve.
- g. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance? yes

I hereby certify that all of the information supplied in this application and attachments hereto are true and correct to the best of my knowledge, information, and belief.

I hereby acknowledge that I understand that the penalty for falsification is imprisonment for not more than six (6) months, or a fine of not more than one thousand dollars (\$1,000), or both.


Appellant's Signature

Print Name: Juan Javier Huesca Aguirre

Date: 10/1/2016