

## CITY OF PARMA HEIGHTS

### CONDITIONAL USE PERMIT – Chapter 1135

#### APPLICATION

It is necessary to obtain a permit before establishing or substantially altering a conditionally permitted land use in any zoning district in Parma Heights. Most conditional use permits are reviewed and acted upon by the Planning Commission.

#### Contacting the Building Department.

Prospective applicants are strongly advised to consult with the Building Department staff before submitting an application. Staff members will explain the approval process and make applicants aware of the regulations that apply to their projects. The department can be reached at 440-884-9607 or [service@parmaheights.oh](mailto:service@parmaheights.oh).

#### Application process.

The following materials should be included with all applications:

- (1) the completed application form (10 copies);
- (2) A detailed written description of the conditional use or project being proposed (10 copies);
- (3) To scale drawings and/or artist rendering in 11-by-17 format, or, if necessary to maintain legibility, a larger format (10 copies);

- (4) Proof of control of the property by ownership, option, or lease (10) copies; and
- (5) Application fee of \$250.00 (checks should be made payable to the City of Parma Heights).
  - City Engineer Review of District Plan \$600.00 (Unused portion will be returned)

The application may be dropped off at City Hall or mailed to: City of Parma Heights, c/o the Planning Commission, Parma Heights City Hall, 6281 Pearl Road, Parma Heights, Ohio 44130.

Public hearing and Planning Commission review.

At the Planning Commission meeting, members of the staff and the applicant will make presentations regarding the proposed conditional use.

Owners of property within and contiguous to and directly across the street from the proposed use will be notified in advance of the hearing by mail and will have the opportunity to comment during the Public Hearing portion of the Planning Commission's meeting. The Planning Commission may grant or deny the request for a conditional use permit, or it may postpone making a decision to consider or seek additional information.

It is the Planning Commission's responsibility to make decisions based on the facts presented, within the framework set by the Zoning Code.

Other approvals.

The granting of a conditional use permit does not imply approval of specific plans by the Building Department and/or other City entities. Questions about building permits and regulations may be addressed to the Building Dept. at 440-884-9607.

**CONDITIONAL USE PERMIT APPLICATION FORM**

Please type or print clearly

Project number \_\_\_\_\_

Date submitted \_\_\_\_\_

Contact information:

Applicant(s) \_\_\_\_\_

Phone \_\_\_\_\_ (fax) \_\_\_\_\_

Applicant(s) e-mail address \_\_\_\_\_

Address of subject property \_\_\_\_\_

Mailing address of applicant \_\_\_\_\_

Applicant's representative, if any \_\_\_\_\_

Phone \_\_\_\_\_ (fax) \_\_\_\_\_

Applicant's representative e-mail address \_\_\_\_\_

Address of representative \_\_\_\_\_

Property owner, if different from applicant \_\_\_\_\_

Phone \_\_\_\_\_ (fax) \_\_\_\_\_

Property owner's e-mail address \_\_\_\_\_

Address of property owner \_\_\_\_\_

Required supporting documentation:

- \_\_\_ Copies of completed application (10 Copies)
- \_\_\_ Detailed written description of project (10 Copies)
- \_\_\_ Site plan (10 copies drawn to scale)
- \_\_\_ Proof of ownership, option, or lease agreement (10 Copies)
- \_\_\_ Application fee check no. \_\_\_\_\_

Additional supporting documentation may be required (verify with staff):

- \_\_\_ Floor plan (10 copies, drawn to scale)
- \_\_\_ Elevations (10 copies)

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Please print name \_\_\_\_\_

## GENERAL CRITERIA FOR CONDITIONAL USES

### Chapter 1135.07

A conditional use, and uses accessory to such conditional use, shall be permitted in a district only when specified as a conditional use in such district, and only if such use conforms to the following criteria. Furthermore, the Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence that:

- a) The conditional use in the proposed location will be harmonious and in accordance with the purpose, intent and basic planning objectives of this Planning and Zoning Code and with the objectives for the district in which located;
- b) The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare;
- c) The conditional use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area;
- d) The proposed building or use will not result in the destruction, loss, or damage of any feature determined by the Planning Commission to be of significant natural, scenic, or historic importance;
- e) The hours of operation of the proposed use are similar to a use permitted in the district;
- f) The conditional use will not be hazardous or disturbing to the existing and future use and enjoyment of property in the immediate vicinity for the uses permitted, nor substantially diminish or impair property values within the neighborhood;
- g) The establishment of the conditional use in the proposed location will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- h) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- i) Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets;
- j) The establishment of the conditional use should not be detrimental to the economic welfare of the community by creating excessive additional requirements at public cost for public facilities such as police, fire and schools;
- k) There is minimal potential for future hardship on the conditional use that could result from the proposed use being surrounded by uses permitted by right that may be incompatible;
- l) The design and arrangement of circulation aisles, parking areas, and access drives shall be in compliance with the regulations set forth in Chapter 1191.

CONSENT TO ACCESS PROPERTY

I, the undersigned responsible party (owner, occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Parma Heights and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning, Housing, and/or Building Codes. I further certify that I have authority to grant access to said property.

\_\_\_\_\_

Signature of Responsible Party

\_\_\_\_\_

Name of Responsible Party (please print)

Property Address \_\_\_\_\_

I am the: \_\_\_owner \_\_\_occupant \_\_\_tenant \_\_\_agent for property owner

\_\_\_\_\_

Telephone Number

Date

**PLEASE NOTE THAT FAILURE TO CONSENT TO A SITE INSPECTION OF YOUR PROPERTY MAY CAUSE  
DELAY IN YOUR APPLICATION AND/OR MAY CAUSE YOUR APPLICATION TO BE CONSIDERED  
INCOMPLETE.**

**CONDITIONAL USE PERMIT APPLICATION**

**MIXED USE DISTRICTS**

**Chapter 1135.07**

A conditional use, and uses accessory to such conditional use, shall be permitted in a district only when specified as a conditional use in such district, and only if such use conforms to the following criteria.

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the general criteria for conditional use set forth on the Codified Ordinances.

- a) Explain how the proposed conditional use in the proposed location will be harmonious and in accordance with the purpose, intent and basic planning objectives of this Planning and Zoning Code and with the objectives for the district in which located.

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- b) Explain how the establishment, maintenance or operation of the proposed conditional use will not be detrimental to or endanger the public health, safety or general welfare.

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- c) Explain how the proposed conditional use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area.

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- d) Explain how the proposed building or use will not result in the destruction, loss, or damage of any feature determined by the Planning Commission to be of significant natural, scenic, or historic importance.

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- e) Explain how the proposed hours of operation of the proposed use are similar to a use permitted in the district.

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- f) Explain how the proposed conditional use will not be hazardous or disturbing to the existing and future use and enjoyment of property in the immediate vicinity for the uses permitted, nor substantially diminish or impair property values within the neighborhood.

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g) Explain how the establishment of the proposed conditional use in the proposed location will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

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h) Explain how adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided for the proposed conditional use.

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i) Explain how adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets for the proposed conditional use.

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j) Explain how the establishment of the proposed conditional use should not be detrimental to the economic welfare of the community by creating excessive additional requirements at public cost for public facilities such as police, fire and schools.

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k) Explain how there is minimal potential for future hardship on the proposed conditional use that could result from the proposed use being surrounded by uses permitted by right that may be incompatible.

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l) Explain how the design and arrangement of circulation aisles, parking areas, and access drives shall be in compliance with the regulations set forth in Chapter 1191 for the proposed conditional use.

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m) Explain how the proposed use is not closer than permitted in the proposed location to a public or private school, a church, a day care, a public park, a boundary of a residential district or a property line of a lot devoted to a residential district.

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