



**Hancock County Commissioners**  
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Email: Commissioners@co.hancock.oh.us

**HANCOCK COUNTY, OHIO**  
**ACCESS MANAGEMENT REGULATIONS**  
**APPEAL OR VARIANCE REQUEST APPLICATION**

**GENERAL INFORMATION**

Name: \_\_\_\_\_  
Address : \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_  
Address or Parcel ID# of property: \_\_\_\_\_

**NOTE:** Applications for variances and appeals will be reviewed per ARTICLE 9 of the County Access Management Regulations which, in part, state the Hancock County Commissioners shall serve as the Board of Appeals. Article 9 is on the next page for reference.

Check the box below on if your are applying for an appeal or variance. When adding the justification, please refer to Article 9 of the Hancock County Access Management Regulations on the next page for the conditions on which a variance/appeal may be granted.

- VARIANCE**
- APPEAL** (*Appeals must be filed within thirty (30) days of the date of denial*)  
*Access Permit # \_\_\_\_\_*

\*Attach a detailed description of the specification or reason the applicant beleives they should be granted a Variance / Appeal. Submit any maps, pictures, surveys or other documents that will help in locating proposed drive or that may be beneficial to the Board of Appeals.

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*Please submit all completed applications to the Commissioner's Office by email or hand delivery.*

# Hancock County Access Management Regulations - Article 9

## Variances and Appeals

- A. The Board of Commissioners shall serve as the Board of Appeals for Access Management. They may hear appeals, made within 30 days of any written decision, where it is alleged that the Hancock County Engineer made an error in any order, requirement, decision or determination in the enforcement of these Access Management Regulations.
- B. Variances may be granted by the Board of Appeals for all classes of accesses prior to the decision of the Hancock County Engineer issuing or denying an access permit. The applicant shall meet with Hancock County Engineer to attempt to resolve any issues prior to making and application for a Variance to depart from a particular standard or requirement of the Hancock County Access Management Regulations. Variances are appropriate if not contrary to the public interest where, owing to special conditions, a literal enforcement of the regulations will result in unnecessary hardship, and such that the spirit of the regulations will be observed and substantial justice done.
- C. In the granting of variances in accordance with the standards in paragraph B, the Board of Appeals shall consider the following:
  - 1. Whether not granting the variance would deny all reasonable access;
  - 2. Whether granting the variance would endanger the public safety;
  - 3. Whether the hardship was self-created;
  - 4. Whether granting the variance would hinder traffic safety or the proper operation of the public road;
  - 5. Whether granting the variance would be consistent with the purpose of these regulations, and;
  - 6. Whether all access options, except granting a variance, have been considered.
- D. The applicants for variances shall provide evidence of unique or special conditions that make the strict application of these regulations impractical or impossible. Such evidence may include:
  - 1. Indirect or restricted access cannot be obtained.
  - 2. No engineering or construction solutions can be applied to mitigate the condition.
  - 3. No alternative access is available.
- E. All applications for appeals or variances shall be made on the form provided by the Hancock County Engineer and filed with the Clerk of the Board of County Commissioners.
- F. A verbatim record of the hearing shall be held, all testimony shall be taken under oath. The applicant shall have the right to present witnesses and evidence and to cross-examine witnesses who testify adverse to his/her position. The Board shall render its decision in writing within thirty (30) days of the conclusion of the hearing.
- G. Appeals to decisions of the Board of Appeals for Access Management shall be in accordance with Chapter 2506 of the Ohio Revised Code.
- H. The County Board of Commissioners may choose to charge an application fee for Variances or Appeals to cover the cost of the Hearing, Transcription and other costs.