

Application # VA _____

APPLICATION FOR A ZONING VARIANCE OR APPEAL

The undersigned applies for a **ZONING VARIANCE OR APPEAL** to be issued solely on the basis of information contained herein, and, with the knowledge that the falsification of any fact or statement with, or within this application null and void. (NO ORDER OF THE ZONING BOARD OF APPEALS GRANTING A **VARIANCE OR APPEAL** SHALL BE VALID FOR A PERIOD LONGER THAN TWELVE (12) MONTHS FROM THE DATE OF SUCH ORDER, UNLESS THE BUILDING PERMIT OR ZONING APPROVAL IS OBTAINED WITHIN SUCH PERIOD AND THE ERECTION OR ALTERATION OF A BUILDING IS STARTED OR THE USE IS COMMENCED WITHIN SUCH PERIOD.)

1. Applicant: _____

2. Applicant address: _____

3. Phone: (Hm) _____ (Bus) _____ Interest in property: _____

4. Location or address of property to be affected: _____

5. Legal description: _____

6. Present Zoning classification: _____ Existing use: _____

7. In order to be processed, applicant must provide:

(a) Description or nature of **variance or appeal** requested;

(b) Narrative statements which demonstrate to the satisfaction of the Board of Zoning Appeals that the **variance** conforms to the following standards;

(1) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;

(2) The conditions upon which an application for a **variance or appeal** is based are unique to the property for which the **variance or appeal** is sought, and are not applicable, generally, to other property within the same Zoning classification;

(3) The purpose of the **variance or appeal** is not based exclusively upon a desire to increase financial gain;

(4) The alleged difficulty or hardship is caused by this Ordinance and has not been created by any person presently having an interest in the property;

(5) The granting of the **variance or appeal** will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

(6) The proposed **variance or appeal** will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase damage of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;

(7) The Zoning Board of Appeals may impose such conditions and restrictions upon the premise benefitted by a variance as may be necessary to comply with standards established in this section and the objectives of this Ordinance;

8. Under no circumstances shall the Board of Zoning Appeals grant a *variance or appeal* to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district. In granting any *variance or appeal*, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the *variance or appeal* is granted, shall be deemed a violation of this Ordinance and punishable under Section 1107.99.

9. The Board of Zoning Appeals shall hold a public hearing within forty (40) days after the receipt of an application for a *variance or appeal* from the Zoning Enforcement Officer or a applicant.

10. Before holding the public hearing required in Section 111.08, notice of such hearing shall be given in one or more newspaper of general circulation of the Municipality at least seven (7) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed *variance or appeal*.

11. Has previous application been filed for the a *variance or appeal*? _____

When? _____ Results? _____

Application Date: _____

Signature of Applicant

OFFICE USE ONLY BELOW LINE

Reviewed by Planing Commission: Yes? _____ No? _____ Date: _____

App/Denied Board of Zoning Appeals: _____ Date: _____

Fee: _____ Receipt number: _____ Date: _____

(NON REFUNDABLE)

REV01/02