

CLAY TOWNSHIP

PROUD TO SERVE

VARIANCE APPLICATION

8207 ARLINGTON ROAD
BROOKVILLE, OHIO 45309

Phone 937/833-6435
Fax 937/833-6211

DATE RECEIVED _____

A. Description of Property and Nature of Variance

1. Describe the nature of the variance, including the specific provisions of the Zoning Resolution from which the variance is requested.
2. Describe completely the property. Include a reference of the volume and page of the last recorded deed or plat, and Parcel Identification Number.
3. State special circumstances or conditions applying to the land or structure.
4. Show those special conditions and circumstances that do not result from the actions of the applicant.
5. Show that the granting of the variance is necessary to the preservation and enjoyment of substantial property rights.
6. Provide other information regarding the appeal as may be pertinent.
7. The Variance requested is the minimum Variance that will allow a reasonable use of the land or buildings.

It is advisable to review the Standards for Variances.

B. PLOT PLAN

This appeal shall be accompanied by one original and seven (7) copies of a plot plan drawn by a certified engineer or surveyor, to an appropriate scale showing the following as is appropriate:

1. Boundaries and dimensions of the lot.
2. Size and location of existing and proposed structures.
3. Relationship of requested variance to standards set by Zoning Resolution.
4. Use of land and location of structures on adjacent property.
5. Proposed use of all parts of the lot and structures, including accessways, walks, off-street parking and load-spaces and landscaping.

I hereby depose and say that all the above statements, and the statements contained in all exhibits submitted herewith, are true.

Appellant

Subscribed and sworn to before me this _____ day of _____, _____

My commission expires _____, _____

Notary Public

STANDARDS FOR VARIANCES

(Art. 4 Sec. 405.05)

- A) The variance requested arises from special conditions or, or involving, the property which are unique; that is, a situation which is not ordinarily found in the same zoning district, and that the situation results from the enforcement of the Resolution and not by an action or actions of the property owner, the applicant, or any other person or party who has had control of the property.
- B) The strict application of the provisions of this Resolution from which a variance is requested, will constitute unnecessary hardship upon the property owner represented in the application.
- C) The variance desired will not adversely affect the public health, safety, and morals.
- D) The variance desired will not compromise the general spirit and intent of this Resolution.

A variance granted by the Board shall terminate at the end of six (6) months from the date on which the Board grants the variance unless within such six (6) month period, a zoning certificate is obtained. (Section 405.08)