



Plain Township Board of Zoning Appeals Variance Application

45 Second Street
P.O. Box 273
New Albany, Ohio 43054
Phone 614.855.7770
Fax 614.855.2087

PLAIN TOWNSHIP ZONING USE ONLY

BZA Case Number _____ Fee Paid _____ Date Received _____

APPLICANT

Applicant _____ Company _____

Address _____

Phone Number _____ Email _____

PROPERTY LOCATION DESCRIPTION

Property Type Residential Commercial Owner _____

Subdivision Name _____ (If not a platted sub-division, attach a legal description)

Address _____

Phone Number _____ Email _____

Parcel Number _____ Property Zoned _____ Total Acres _____

NATURE OF VARIANCE

Plain Township Zoning Resolution Section: _____ Describe specifically the nature of the variance:

REQUIRED TO SUBMIT WITH APPLICATION

Six sets of plans drawn to scale must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, location of well, location of septic system, and any natural or topographic peculiarities of the lot in question.

JUSTIFICATION OF VARIANCE

In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true (Please attach these comments on a separate sheet):

- A. Special conditions exist peculiar to the land or building in question.
- B. That a literal interpretation of the ordinance (resolution) would deprive the applicant of rights enjoyed by other property owners.
- C. That the special conditions do not result from previous actions of the applicant.
- D. That the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.

I certify that the information contained in this application and its supplements is accurate and true. The Owner/ Applicant, as signed below, hereby authorizes Plain Township representatives to visit, photograph, and post a notice on the property described in this application.

(Applicant Signature)

(Date)

BZA VARIANCE REQUEST CHECKLIST

- Application
- Application Fee
- Six (6) sets of plans. The plans must show:
 - Drawn to scale
 - Plot plan showing dimensions and shape of the lot
 - Size and locations of existing buildings
 - Locations and dimensions of proposed buildings or alterations
 - Natural or topographic peculiarities of the lot
 - Location of well
 - Location of septic system
- Justification of Variance – Include statement of:
 - Special conditions exist peculiar to the land or building in question.
 - That a literal interpretation of the ordinance (resolution) would deprive the applicant of rights enjoyed by other property owners.
 - That the special conditions do not result from previous actions of the applicant.
 - That the requested variance is the minimum variance that will allow a reasonable use of the land or buildings.
- Legal Description
- Current list of property owners within 200 feet

BOARD OF ZONING APPEALS

1. Review Application
 - A. Variance, Conditional Use, and/or Appeals
 - B. Legal description
 - C. Plot plan/ vicinity map including location of water well and septic system/ sewer services
 - D. Statement or letter of proposed change or amendments (shows hardships - also why application is necessary to the preservation and enjoyment of your property)
 - E. Current list of property owners within 200 feet contiguous to, directly across, or around property
 - F. Fees paid
 - G. Vote to accept or deny the application
2. Set hearing date and time (at least fifteen not more than thirty (30) days)
3. Assign Case Number
4. May request Planning Commission Opinion or Full Report

NOTICES

1. Planning Commission - Five days after acceptance of applications
2. Newspaper - Ten days prior to hearing dates
3. Property Owners - Ten days prior to hearing dates

AREA VARIANCE APPROVAL FACTORS (DUNCAN V. VILLAGE OF MIDDLEFIELD)

1. Will the property in question yield a reasonable return or can there be a beneficial use of the property without the variance?
2. Is the variance substantial?
3. Is the essential character of the neighborhood substantially altered or would adjoining properties suffer a substantial detriment as a result of the variance?
4. Will the variance adversely affect the delivery of governmental services (e.g., water, sewer, garbage)?
5. Did the property owner purchase the property with knowledge of the zoning restriction?
6. Can the property owner's predicament feasibly be obviated through some method other than a variance?
7. Does the variance violate the spirit and intent behind the zoning requirement or deny substantial justice by granting the variance?