

APPLICATION FOR VARIANCE

Name of Applicant: _____ Application #: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: Home: _____ Business: _____

1. Locational Description: Subdivision Name: _____

Section: _____ Township: _____ Range: _____

Block: _____ Lot #: _____
(If not in a platted subdivision, attach a legal description)

2. Nature of Variance: Describe generally the nature of the variance:

In addition, two (2) copies of the plans drawn to scale must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings or alterations and any natural or topographic peculiarities of the lot in question.

3. Justification of variance: In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the provisions of the Bellbrook Zoning Ordinance, Section 20.13.2 pertain.

PLEASE ATTACH COMMENTS ON A SEPARATE SHEET - SEE BACK OF FORM.

I certify that the information contained in this application and its supplement is true and correct.

Applicant Signature

Date

PLEASE FILE ONE COPY WITH THE BELLBROOK ZONING OFFICE, 15 E FRANKLIN STREET, BELLBROOK.

City of Bellbrook Zoning Ordinance 20.13.2

Variances from the terms of the Zoning Ordinance shall be granted only where the property owner shows that the application of a zoning requirement to the property owner's property is inequitable causing the property owner practical difficulties in the use of the property. The factors to be considered and weighed by the Board in determining whether a property owner has encountered practical difficulties in the use of the property owner's property include, but are not limited to:

- (1) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- (2) Whether the variance is substantial;
- (3) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- (4) Whether the variance would adversely affect the delivery of governmental services such as water, sanitary sewer or garbage removal;
- (5) Whether the property owner purchased the property with knowledge of the zoning restriction;
- (6) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
- (7) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

The Board shall determine, after weighing the factors described above and any other factors the Board deems relevant, whether the property owner has shown practical difficulties so inequitable as to justify granting a variance to the property owner.

Please attach a sheet with your statement to this application.

Also, please note that plat covenants and restrictions govern the section of the plat in which you live and were placed in effect by the developer at the time of the completion of your plat. These restrictions are separate from the Zoning Ordinance of Bellbrook and may be enforced by the residents in your plat. Any variance(s) granted by the City of Bellbrook deal only with the Zoning Ordinance and do not affect or change the plat covenants and restrictions of your neighborhood. Copies of your plat covenants are available from the Greene County Recorder's Office, Xenia, Ohio, (376-5270).

City of Bellbrook Zoning Office (937) 848-8477