



Butler Township Board of Zoning Appeals

8524 North Dixie Drive, Dayton, Ohio 45414
(937) 898-6735; FAX (937) 898-5308

ZONING VARIANCE APPLICATION

Fee: \$125.00

Case # _____ Date Filed: _____

PROPERTY LOCATION:

(Address)
ZONING DISTRICT: _____ **PARCEL TAX ID:** _____

CURRENT USE:

NAME OF APPLICANT(S):

Applicant is the: { } **current owner/landlord** { } **purchaser** { } **tenant** { } **agent**

APPLICANT’S MAILING ADDRESS:

_____ **PHONE:** _____

VARIANCE APPLICATION INSTRUCTIONS AND PROCEDURES

A proper site plan (plot plan) is a basic Board of Zoning Appeals (BZA) requirement. This plan must: 1) show boundaries of the zoning lot; 2) differentiate between existing and proposed buildings and uses; and 3) be drawn to scale at a size allowing a thorough examination of all issues to be presented. Whenever practicable, such site plan should be presented on paper no larger than 11” by 17.” When a larger format is used, at least one copy on a sheet not exceeding 11” by 17” will be required.

A variance justification narrative is required in order that the BZA might examine special circumstances justifying requested variances. Applicant(s) must attach a narrative addressing **all** the factors listed below:

1. Special conditions and circumstances exist which are peculiar to the land or structure involved, and which are not applicable to other land or structures within the same zoning district.
2. Special conditions and circumstances are not the result of actions by the applicant or of others who have had control of the property.
3. Literal interpretation of zoning code provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district, and adjoining properties are not likely to suffer a substantial detriment as a result of variance relief.
4. No beneficial use can be made, or reasonable economic return realized, from the property in question without variance relief.
5. Variance relief will not adversely effect the delivery of governmental services such as water, sanitary sewerage or garbage removal.
6. The problem cannot be solved by any mechanism other than by variance relief.
7. The variance requested will provide the minimum necessary relief.

Other evidence is also welcomed, and might include existing and planned building elevations, and photographs or models.

Attendance at the BZA meeting scheduled to hear a variance application is required of the applicant(s) or their representative. Failure to appear may result in denial and the necessity to reapply.

Seven (7) copies of a variance application and supporting documentation must be submitted pursuant to provisions contained in the Butler Township Zoning Code. **Also required is a list of all property owners, and their mailing addresses, within three-hundred (300) feet of the subject property.** The variance application, along with supporting site and building plans, and such other documentation as may be attached or as may be introduced at the BZA hearing, will constitute the entire official record regarding this case.

Variations expire if not used within twelve (12) months from the date of granting. Approval of a variance does not authorize construction, use or occupancy without the issuance of appropriate permits.

The undersigned attest to having read this application form, having addressed all the issues and requirements referenced herein, and having conferred with the zoning administrator. Further, the undersigned have determined, after due diligence, and from applicable Zoning Code sections what circumstances justify the granting of a variance. The undersigned, further, attest to the truth and accuracy of the statements and materials contained in this application and supporting materials, to the extent of personal knowledge about such matters.

Applicant's Signature

Date

Applicant's Printed Name

Applicant's Signature

Date

Applicant's Printed Name