



**BOARD OF ZONING APPEALS
APPLICATION FOR VARIANCE**

10104 Brewster Lane, Suite 125, Powell, Ohio 43065
 Zoning Office 740-938-2010, Fax 740-938-2001
www.libertytpw.org

File #: BZA- **Date:** _____

***Fee:** _____ **Receipt #:** _____
 (* see adopted fee schedule)

SUBMITTAL REQUIREMENTS: *(Incomplete applications will not be accepted.)*
Fees AND one (1) completed original application form AND the following arranged into ten (10) packets:

- 1) Legal description of subject property in both text and map form; AND
- 2) List of owners of all properties within 200' of the boundaries of the subject property and those owners' complete, current mailing addresses; AND
- 3) Survey or plan of the entire subject property showing locations, dimensions, setbacks, and uses of all existing and all proposed structures. All drawings/plans must be to scale and be folded to fit into legal size folders; AND
- 4) Any other supporting documentation regard to this application.

Owner(s): _____	Developer: _____
Address: _____	(if applicable) Address: _____
City/State/Zip _____	City/State/Zip _____
Telephone: _____	Telephone _____
Email Address: _____	Email Address: _____

Address of Property: _____	Subdivision: _____
City, State, Zip _____	Lot Number(s) _____
Legal Description: _____	Parcel ID #s: _____
Range: 19 _____	Total Acreage: _____
Township: _____	Current Zoning District: _____
Section: _____	Present Use: _____
Farm Lot#: _____	Proposed Use: _____

BE SURE TO REVIEW APPLICABLE SECTIONS(S) OF THE LIBERTY TOWNSHIP ZONING RESOLUTION

Description of variance being requested, including the applicable Section number(s) of the Zoning Resolution (attach additional pages as needed): _____

The undersigned certifies that this application and the attachments hereto contain all information required by the Liberty Township Zoning Resolution and that all information contained herein is true, accurate, and is submitted to induce the requested variance.

SIGNATURES:

Property Owner(s): _____ Date: _____

_____ Date: _____

RECEIVED BY:

Zoning Inspector: _____ Date: _____

**Note: The initial application fee covers the first meeting only. If the applicant requests tabling, the additional per-hearing fee will be charged. This fee must be paid before the case will be re-scheduled.*

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LIBERTY TOWNSHIP

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SECTION 28.06 - PROCEDURE ON APPLICATION FOR USE AND AREA VARIANCE:

Township Board of Trustees, may, in appropriate cases and subject to appropriate conditions and safeguards, vary the strict appliance of the term of this Zoning Resolution in harmony with its general purpose and intent, in accordance with the specific rules contained herein:

A. Public Notice: Written Application for a Use or Area Variance shall be made to the Township Zoning Inspector who shall transmit said Application to the Board of Zoning Appeals. The Board of Zoning Appeals shall cause a public hearing to be held. The Board of Zoning Appeals shall give written notice by ordinary mail to all owners of land within two hundred (200) feet of the exterior boundaries of the land for which a Variance is requested. An Application For a Variance shall be advertised at least once, ten days in advance of the time set for the public hearing, in a newspaper of general circulation within the Township.

B. At such hearing the applicant shall present a statement and adequate evidence in such form as the Township Board of Zoning Appeals may require.

The Board of Zoning Appeals shall not grant a Use Variance unless it finds that all of the following conditions apply to the case in question:

- 1) There are special circumstances or conditions applying to the land, building or use referred to in the Application, which circumstances or conditions were not created by the Applicant.
- 2) The granting of a Variance Application is necessary for the preservation and enjoyment of substantial property rights.
- 3) The granting of the Application will not materially affect, adversely, the health or safety of persons residing or working in the neighborhood of the proposed use, and will not be materially detrimental to the public welfare, or injurious to property or improvements in such neighborhood.

The Board of Zoning Appeals shall not grant an Area Variance unless the property owner has encountered practical difficulties in the use of his/her property. The factors to be considered and weighed by the Board are:

- 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 (e.g., water, sewer, garbage).
- 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.
- 7) Whether the spirit and intent behind the zoning requirement would be required to be observed and substantial justice done by granting the Variance.

The Zoning Secretary will contact you, or your representative if you so request, to schedule your hearing. Please provide the following contact information for the purpose of scheduling your hearing:

Contact Person:

Name: _____
Address: _____

Telephone: _____
Cell Phone: _____
Email address: _____

PLEASE NOTE: BE SURE YOU HAVE REVIEWED THE APPLICABLE SECTIONS OF THE LIBERTY TOWNSHIP ZONING RESOLUTION (ZONING CODE) FOR COMPLETE ZONING REGULATIONS AND REQUIREMENTS SPECIFIC TO YOUR APPLICATION. THE ZONING CODE IS AVAILABLE AT THE ZONING DEPARTMENT OFFICES, OR ON OUR WEBSITE AT www.libertytp.org .