

FEE: \$600.00

Note: The initial application fee covers one meeting only. If the applicant requests tabling, a reschedule fee of \$600 will be charged. This must be paid before the case is rescheduled.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

SUBMITTAL REQUIREMENTS – The following must be submitted with the correct application fee:

One (1) completed application form, signed by property owner or lessee; AND arrange the following into fifteen (15) packets:

- Copy of legal description of subject property; AND
- Current list of all property owners (with complete, current mailing addresses) within 200 feet of exterior boundaries of the land for which a Variance is requested; AND
- Plot plan of subject property showing the proposed location of the structure or change (all drawings must be to scale and must be folded to fit into legal size folder); AND
- Any other supporting documentation in regard to this application.

File Number: BZA-_____

Date Filed: _____

Fee Paid: _____

Name of Owner: _____

Home Phone: _____ **Work Phone:** _____

Address: _____

Name of Lessee: _____

Home Phone: _____ **Work Phone:** _____

Address of Property: _____

Subdivision: _____

Range: _____ **Twp:** _____ **Section:** _____ **Farm Lot #:** _____

Total Acreage: _____ **Current Use:** _____ **Present Zoning District:** _____

Description of request: _____

The undersigned certifies that this application and the attachments thereto contain all information required by the Zoning Resolution and that all information contained herein is true and accurate and is submitted to induce the amendment of the Zoning Map or Zoning Resolution. Applicant agrees to be bound by the provisions of the Zoning Resolution of Liberty Township, Delaware County, Ohio.

Owner/Lessee: _____ **Date:** _____

Received and Accepted by: _____ **Date:** _____

Zoning Inspector

**LIBERTY TOWNSHIP ZONING RESOLUTIONS
ARTICLE XXVIII – BOARD OF ZONING APPEALS**

SECTION 28.07 – PROCEDURE ON APPLICATIONS FOR CONDITIONAL USE PERMIT:

The owner or lessee of any land or building within a zoning district within the Township may apply to the Board of Zoning Appeals for authority to carry out any use designated as a Conditional Use within that district.

- A. **Application**: An Application for Conditional Use Permit shall be submitted on such forms as designated and/or approved by the Township Trustees. A Site Plan shall be prepared and attached to each Application. No Application shall be considered unless the same is fully completed and accompanied by all required information on said application.
- B. **Hearing**: The Application shall be transmitted to the Board of Zoning Appeals who shall cause a public hearing to be held.
- C. **Notice**: Notice of the Application for Conditional Use Permit and hearing thereof shall be given to all property owners within two hundred (200) feet of the premises on which the use is planned. Notice shall be given by ordinary mail. In addition thereto one (1) Notice of said meeting shall be published in a newspaper of general circulation within the Township not less than ten (10) days prior to the scheduled hearing.
- D. **Decision**: The Board shall make its decision within a reasonable time after the hearing. In the event the Board approved the Conditional Use Permit, it may impose such reasonable conditions as it deems necessary to insure that the use will be conducted in the best interest of the Zoning District.

SECTION 28.08 – DECISION OF THE BOARD: The Board of Zoning Appeals shall act by Resolution, in which three (3) members concur, and every action shall be accompanied by a written finding of fact, based on testimony and evidence and specifying the reason by a granting or denying the request. A copy of the Board's Resolution, accompanied by the Board's finding of fact, shall be mailed to the Applicant by ordinary mail.

SECTION 28.09 – PUBLIC INFORMATION: All communications to members of the Board of Zoning Appeals, written or oral which shall be reduced to writing, pertaining to any matter before the Board shall be made a part of the record. The record of the Board's proceeding in any matter shall be kept on file in the Township Hall, subject to the order of the Delaware County Common Pleas Court and available for inspection by the public.

SECTION 28.10 – RECORD: For any hearing at which the applicant desires a record to be made other than that prepared by the Township Zoning Secretary, said Applicant may retain at his/her own expense a Court Reporter to make such record. In all hearings wherein no such request has been made for a record, the minutes of the Township Zoning Secretary of the Board of Zoning Appeals shall serve as the sole transcript.

SECTION 28.11 – FEES TO ACCOMPANY NOTICE OF APPEAL OR APPLICATION FOR VARIANCE OR CONDITIONAL USE: For all actions of the Board of Zoning Appeals the Board of Township trustees shall establish fees to be deposited with each Application. Such fees shall be set annually and shall be required generally for each Application to defray the costs of advertising, mailing and other expenses.