

**CITY OF BEAVERCREEK BOARD OF ZONING APPEALS
SPECIAL INSTRUCTIONS TO APPLICANT
VARIANCE REQUEST**

The applicant is urged to discuss with Planning staff the nature and legal limits of such a request under the Zoning Ordinance prior to submittal of Variance Application.

The applicant should forward the following information to:

City of Beavercreek
Planning and Development Department
1368 Research Park Drive
Beavercreek, Ohio 45432

1. One complete application for Variance Request. If applicant is not the property owner, submit current notarized written statement signed by property owner(s) appointing applicant as owner's agent (form attached).
2. One copy of a site plan, drawn to standard engineering scale of 1" = 20 feet, 1" = 30 feet, or 1" = 40 feet. The site plan can be a single line drawing and must show lot dimensions, building location and dimensions, and setbacks from lot lines. The applicant must also indicate on site plan location of all the *applicable* items listed below.
 - A. Location of right-of-way
 - B. Location and size of existing buildings and accessory structures
 - C. Location of stormwater and sanitary sewers
 - D. Location of water/well
 - E. Location of septic tank/leach bed
 - F. Location of gas lines
 - G. Location of other utilities
 - H. Location of drainage and utility easements
 - I. Location of property lines involved (multiple parcels if affected)
 - J. Location of any other on-site landmarks affected by variance request
 - K. Location of regulatory floodplain if any portion of the parcel is located within a floodplain
3. Any other plans, brochures, pamphlets, or applicable material relating directly to the case.
4. One copy of the Justification of Variance. In order for the Board of Zoning Appeals to fully consider all aspects of a request for variance, the applicant should provide in writing any information, reasons, or justification that the applicant would like the Board to take into account when evaluating the statements below (a through g).
(PLEASE ATTACH THESE COMMENTS ON A SEPARATE SHEET)

The Zoning Code states that no variance of the strict application of this Zoning Code shall be granted by the Board of Zoning Appeals until and unless the Board has considered and weighed whether a property owner seeking an area variance has encountered practical difficulties in the use of his or her property. The factors to

be considered when determining whether a property owner has encountered practical difficulties in the use of his or her property include, but are not limited to the following:

- a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- b. Whether the variance is substantial;
- c. 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.
- d. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
- e. Whether the property owner purchased the property with knowledge of the zoning restriction(s) in place at the time he or she purchased the property;
- f. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
- g. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

5. Application fee (\$200.00 for residential or \$300.00 for commercial).
6. A list of property owners located within the 500-foot buffer area from the Greene County website. To obtain the list use the link:
<https://gis.greenecountyohio.gov/GIMS/>
7. Upon completion of the application for the Beavercreek Board of Zoning Appeals, the applicant will be notified in writing when the hearing date of this application is scheduled. Failure of applicant to attend the public hearing may result in a delay of a decision or cancellation of the case.
8. Applicant may withdraw the application during any stage of its processing by giving written notice to the Beavercreek Board of Zoning Appeals, however, the application fee is non-refundable.

Cut-off date for submission of application:

Meeting date: _____

Cut-off date: _____

AGENT FORM

The undersigned, owner(s) of the certain real property described in the attached "Exhibit A" (the "Property"), do hereby appoint and expressly grant full authority to _____ to act as the sole agent of and on behalf of the undersigned in all matters related to and in connection with the attached application. The undersigned hereby consents and agrees to be bound by the application, by any agreement made by the herein named agent with the City of Beavercreek in connection with this same case, and by all decisions made by the city in connection with this same case.

Owner's Signature

Owner's Signature

Printed Name

Printed Name

Sworn to before me and subscribed in my presence by the said _____
on this _____ day of _____, 20____.

Notary Public

CITY OF BEAVERCREEK APPLICATION FOR VARIANCE

Date _____

Application No. _____

Variance Address _____

Name of Applicant _____

Applicant's Mailing Address _____

Applicant's Phone Number _____

Applicant's Email Address _____

Name of Contractor _____

Contractor's Address _____

Contractor's Phone Number _____

1. Location Description:

Subdivision Name _____ Section No. _____

Lot No. _____ Zoning District _____ Parcel ID B42000_00_00_00_00

2. Nature of Variance Request: _____

In addition, all items listed in the "Special Instructions to Applicant" must be submitted in order for this application to be processed.

I certify that the information contained in this application and its supplements are true and correct.

Applicant's Signature

FOR OFFICIAL USE ONLY

Date Filed _____

Fee Paid _____

Received by _____