

**ALLEN TOWNSHIP ZONING RESOLUTION
AREA VARIANCE APPLICATION**

Revised 1/1/12

A variance is a departure from the provisions of the zoning resolution usually relating to setbacks, side yards, height, frontage/lot width, and lot size. These variances relate to the physical characteristics of the property. Strict enforcement of the zoning requirements for the specific lot would present "practical difficulties", basically making the property unusable.

Application for a variance shall be filed with the Zoning Inspector and must consist of the following:

1. Application form.
2. If the applicant is not the owner of the property, the applicant must obtain power of attorney from the owner granting the applicant authority to request the variance.
3. A legal description and plot plan showing the dimensions of the property, location of road(s), size and location of any structures on the property, setbacks to these structures, direction of north, applicant's name and address. If the variance is being requested to allow for the construction of a structure or addition, show the location, dimensions and setbacks to the proposed structure or addition (Note: setbacks are measured to overhang, not foundation).
4. A list of the names and addresses of property owners within, contiguous to, and directly across the street from the property involved. The names and addresses shall be obtained from the County Auditor's (419-734-6740, Ottawacountyauditor.org) current tax list or the County Treasurer's (419-734-6750, ottawacountytreasurer.org) mailing list. Failure to deliver all of the property owner's names and addresses will not invalidate the action taken by the Board of Zoning Appeals, but may result in revocation of the zoning permit upon request by a party who was not properly notified.
5. A statement explaining why the variance from requirements of the zoning resolution is requested and how the applicant believes he/she meets the standards listed in Section 14, A-G of the zoning resolution. These are the standards the Board will use in determining whether to grant a variance.
6. The Public Utilities Commission of Ohio (PUCO) is an agency of the State of Ohio that regulates utility services such as electricity, natural gas, telecommunications, railroad safety and intrastate hazardous material transport. If you operate any such utility, you could be exempt from various Allen Township Zoning Regulations.
7. A \$275.00 filing fee. Checks should be made payable to Allen Township.

No application will be scheduled for a hearing until all of the above items have been filed with the Zoning Inspector.

IF APPLICATION IS GRANTED A ZONING PERMIT MAY ALSO BE REQUIRED

**ALLEN TOWNSHIP BOARD of ZONING APPEALS
APPLICATION for AREA VARIANCE**

Revised 1/1/12

Application # _____

Name(s) _____
Please Print

Address _____

Phone _____ Cell _____ Email _____

Location of Property _____

Zoned District _____ Subdivision and lot # _____

A. A variance from the Allen Township Zoning Resolution should be allowed because:

B. Accurately describe the scope of the requested variance:

DO YOU MEET PUBLIC UTILITIES COMMISSION of OHIO REGULATIONS? _____ YES _____ NO

Accompanying the application are the necessary plans, drawing and/or supporting material as required. To the best of my knowledge the above information is correct.

Signature(s) _____

Date Filed _____, 20____ Hearing Date _____, 20____

Fee \$ _____ Cash or Check # _____ Receipt # _____

Allen Township Zoning Inspector
21030 W. Toledo St., Williston, OH 43468

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The factors or standards to be considered and weighed for an area variance 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. (Is the value of the property less without the approval of the variance? Can it be used for a purpose similar to other uses in the neighborhood or does it become non-useable to the owner?)
- B. Whether the variance is substantial. (Substantial is defined as more than forty percent of the requirement.)
- C. Whether the essential character of the neighborhood would be substantially altered or whether adjoin properties would suffer a substantial detriment as a result of the variance.
- D. Whether the variance would adversely affect the delivery of governmental services (for example, water, sewer, garbage).
- E. Whether the property owner purchased the property with the knowledge that Allen Township had zoning restrictions.
- F. Whether the property owner's predicament feasibly can be prevented or eliminated through some method other than a variance.
- G. Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance.

DECISION

It is therefore the decision of the Allen Township Board of Zoning Appeals that this use variance petition is granted or denied _____, subject to any conditions stated in the minutes which conditions are incorporated herein by reference and made a part of this decision.

DECISION REMARKS

Approved this _____ day of _____, 20_____

- | | | | |
|----|-------|-----------|----------|
| 1. | _____ | YES _____ | NO _____ |
| 2. | _____ | YES _____ | NO _____ |
| 3. | _____ | YES _____ | NO _____ |
| 4. | _____ | YES _____ | NO _____ |
| 5. | _____ | YES _____ | NO _____ |

BOARD OF ZONING APPEALS ATTEST:

Hearing minutes approved this _____ day of _____, 20_____

Secretary _____