

**ALLEN TOWNSHIP BOARD of ZONING APPEALS**  
**USE 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 “unnecessary hardship”, 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 USE 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

**ALLEN TOWNSHIP ZONING RESOLUTION  
USE VARIANCE DECISION**

Revised 1/1/12

A use variance must not be contrary to the public interest and the Board of Zoning Appeals must insure that the spirit of the zoning resolution is observed. In other words, the requested is consistent and harmonious to the existing uses. In addition, all of the following conditions must also be found to exist:

- A. The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity and were not created by applicant.
- B. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve a convenience.
- C. The authorizing of the variance will not impair and adequate supply of light and air to adjacent property or unreasonably increase the congestion in public street, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any way impair the health, safety, convenience or general welfare of the inhabitants of the Township.

**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 \_\_\_\_\_