

BOARD OF ZONING APPEALS APPLICATION

VARIANCE CONDITIONAL USE OTHER

PART 1. PROPERTY INFORMATION

PROPERTY LOCATION:

PROPERTY DESCRIPTION:

LEGAL DESCRIPTION OF PROPERTY:

V.M.S.# DEED BOOK PAGE

TAX ID: M40 - BK Pg PARCEL

ZONING DISTRICT:

EXISTING USE:

ADJOINING USES:

PART 2. DESCRIPTION OF REQUEST (use continuation sheet if necessary)

SECTION(S) OF THE ZONING CODE THIS REQUEST IS RELEVANT:

PART 3. PROPERTY OWNER INFORMATION

NAME OF PROPERTY OWNER:

STREET ADDRESS OF PROPERTY OWNER:

TELEPHONE NUMBER OF PROPERTY OWNER:

CITY / STATE / ZIP CODE OF PROPERTY OWNER:

FAX NUMBER OF PROPERTY OWNER:

PART 4. APPLICANT INFORMATION (if different from property owner)

NAME OF APPLICANT / AGENT:

STREET ADDRESS OF APPLICANT / AGENT:

TELEPHONE NUMBER OF APPLICANT / AGENT:

CITY / STATE / ZIP CODE OF APPLICANT / AGENT:

FAX NUMBER OF APPLICANT / AGENT:

SEE ATTACHMENT FOR APPLICATION REQUIREMENTS AND PLANS SUBMITTAL.

I hereby certify that the information contained in this application and any attachments is true and correct and submit this to the Board of Zoning Appeals for consideration of approval. I acknowledge that my appearance at the Public Hearing is a requirement of this application and failure to appear will result in dismissal of this case and request. In conjunction with this application I hereby consent to the inspection of the subject property by the Village of Spring Valley and its authorized representatives. I agree to reimburse the Village of Spring Valley for expenses incurred by the Village for services of technical consultants to evaluate data required for the approval of this application. I understand the Village must receive this reimbursement before any approval is issued.

Signature: _____

Date: _____

PART 5. DEPARTMENTAL USE ONLY

APPLICATION REQUIREMENTS COMPLETE: YES NO

APPLICATION REVIEWED BY: _____

REVIEW DATE: _____

FEE: \$ _____

RECEIPT #: _____

DATE/PD: _____

REQUEST / PZC SECTION SUMMARY: _____

The application will not be processed until proper fee is received.

CASE NUMBER: _____

DATE OF BZA MEETING: _____

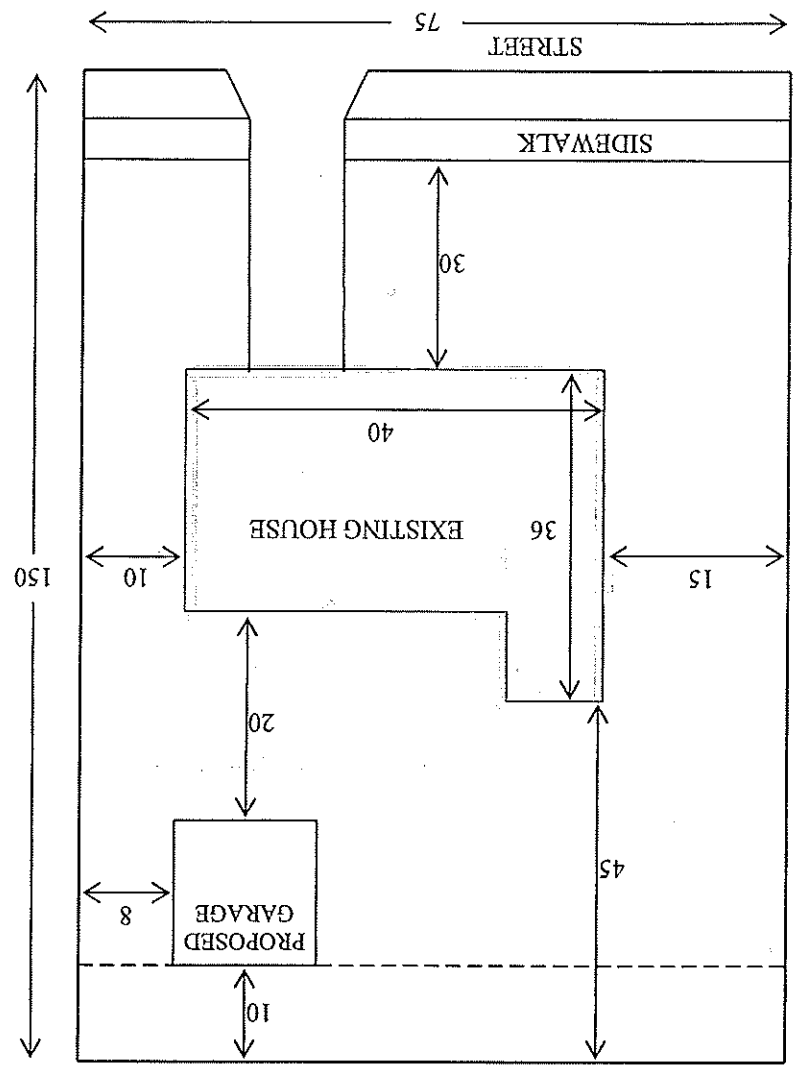
BZA DECISION: APPROVAL DENIAL

PERMITS REQ'D: _____

SITE PLAN

The applicant/owner/representative shall provide a site plan drawn to scale which shows the following dimensions:

1. Property/boundary lines.
2. Exterior lot dimensions.
3. Size and location of all existing structures.
4. Location and size of proposed new construction.
5. Setbacks of all structures from property boundary lines.
6. Distance between structures.
7. Show location of any and all streets, alleys, right-of-ways and easements that are contiguous to the property requesting the Variance/Appeal



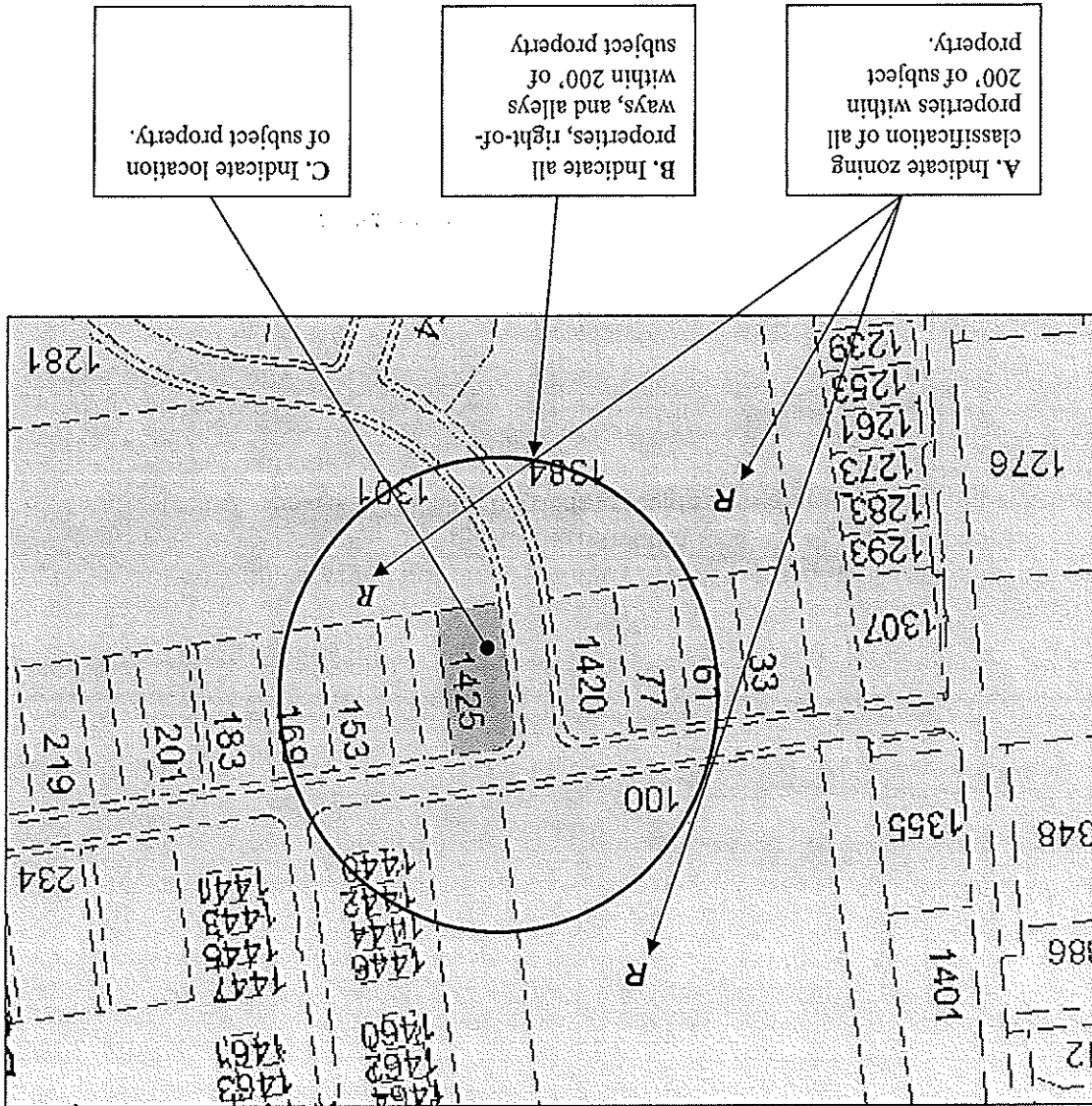
AREA MAP

In addition to the Plot Plan, the applicant/owner/representative must also submit an accurate "Area Map" which reflects the following information:

A. Indicate all properties, streets, right-of-ways, and alleys within 200 feet of all boundaries of the subject property.

B. Indicate location of the subject property requesting Variance/Appeal

SAMPLE AREA MAP



A. Indicate zoning classification of all properties within 200' of subject property.

B. Indicate all properties, right-of-ways, and alleys within 200' of subject property

C. Indicate location of subject property.

List of Property Owners:

Provide a list of property owners (as recorded in the Greene County Auditor's office) contiguous to the subject property requesting the Variance/Appeal. The list of property owners shall be submitted in the following format:

<u>Property Address</u>	<u>I.D.#</u>	<u>Owner Name</u>	<u>Owner Mailing</u>
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Variance Process and Procedures:

The Board of Zoning Appeals shall have the power to vary the strict application of any of the requirements of the Zoning Code in the case of exceptionally irregular, narrow, shallow, small or deep lots, or other exceptional physical conditions that will cause such strict application to result in practical difficulty or unnecessary hardship, not economic in nature, that would deprive the owner of the reasonable use of the land or building involved, but in no other case. The fact that another use would be more profitable is not a valid basis for legally granting a variance. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands, structures or buildings in other districts, shall be considered grounds for issuance of a variance. No variance in the strict application of this Zoning Code shall be granted by the Board unless and until the applicant submits, and the Board concurs with, the following:

- (1) Conditions and circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
- (2) Property rights. That literal interpretation of the provisions of this Zoning Code would deprive the applicant of property rights commonly enjoyed by other properties in the same district under the terms of this Zoning Code.
- (3) Conditions not caused by applicant. The special conditions and circumstances do not result from the actions of the applicant, his or her agents or prior property owners.
- (4) No special privilege. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district.
- (4) Harmony with locality. That the variance requested shall not alter the essential character of the locality, nor be in conflict with the Land Use Plan. In making this determination, the Board may be advised by the recommendation of the Village Planning Commission.

The applicant shall submit along with the application and required information a letter of justification.

In order for a variance to be approved, the Board of Zoning Appeals shall make a finding that the reasons set forth in the application are valid and justify the granting of the variance. Such finding shall include a determination that the variance is the minimum variance that will make possible the reasonable use of land, buildings or structures.

Under no circumstances shall the Board grant a variance that will permit a use, which is not otherwise permitted in the district.

- (1) Conditions. The Board may prescribe appropriate conditions and safeguards in conformity with this Zoning Code and the recommendation of the Planning Commission.
- (2) Public hearing. Prior to taking action on a request for a variance, the Board shall hold a public hearing in accordance with the Village Zoning Code

Application Deadline and Acceptance:

The Board of Zoning Appeals meets the
The variance application must fulfill all of the preceding submittal requirements before it is accepted. A processing fee is required upon submittal of the variance application.