



Division of Building and Zoning

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BOARD OF ZONING AND BUILDING APPEALS AREA/DIMENSIONAL VARIANCE APPLICATION

Please read then complete entire application. Incomplete applications may not be processed. If you are not the property owner(s), please include a signed letter from the property owner(s) authorizing you to make this application.

Property Owner*: _____ Phone Number: _____

Address: _____ Email: _____

** Please provide the name of the applicant if different than the property owner*

Applicant Name*: _____ Phone Number: _____

Address: _____ Email: _____

** Please provide the name of the individual who is actually going to receive the Area/Dimensional variance*

LOCATION VARIANCE IS SOUGHT

Complete mailing address including zip code: _____

Current Zoning: _____ Parcel ID#: _____ Acreage of Parcel: _____

Request variance to section(s): _____

Reason for request (why is a variance sought?) What practical difficulty requires that the variance be granted?

PLEASE REVIEW THE FOLLOWING REQUIREMENTS. APPLICATION WILL NOT BE PROCESSED UNLESS ALL INFORMATION IS PROVIDED (Staff has the discretion to waive any part of the required items.)

☐ Included is a stamped surveyed drawing showing existing structures and the placement of the proposed variance which includes lot lines, setbacks, etc..

☐ Graphics, pictures, and/or elevations if applicable, have been included and represent the material to be presented in an accurate fashion.

☐ The BZBA shall have the power to authorize upon appeal in specific cases, filed as hereinbefore provided, such variances from the provisions or requirements of this zoning ordinance as will not be contrary to the public interest. Where an applicant seeks a variance, said applicant shall be required to supply evidence that demonstrates that the literal enforcement of this zoning ordinance will result in practical difficulty for an area/dimensional. Applicant shall provide statement addressing the following factors:

- Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district; examples of such special conditions or circumstances are: exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures, or conditions;
- Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;
- Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variances;
- Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup;

- f. Whether special conditions or circumstances exist as a result of actions of the owner;
- g. Whether the property owner's predicament can feasibly be obviated through some method other than a variance;
- h. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance; or
- i. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

No single factor listed above may control, and not all factors may be applicable in each case. Each case shall be determined on its own facts.

EXPIRATION

For variances, the applicant shall have one (1) year from the date of approval to receive an approved zoning permit or the variance shall be deemed null and void. Applicant may submit one request for an extension of six (6) months to the BZBA.

Applicant Name: _____ Applicant Signature: _____ Date: _____

See Fee Schedule for costs.

This application shall be completed with six (6) hard copies and an electronic PDF file, including maps, shall be filed with the Building and Zoning Department for presentation to the City of Heath Board of Zoning and Building Appeals. Fee must be paid upon submission for application to be processed.

Do not write below this line - OFFICE USE ONLY

BZBA Case #: _____ Date filed with Zoning Dept.: _____ Date Paid (\$100.00 fee): _____

Application criteria has been met: ☐ Yes ☐ No

Date legal advertisement appears: _____ Date of BZBA meeting: _____

Continuance granted? ☐ Yes ☐ No

Decision of the BZBA: _____