



Danbury Township, Ohio

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Marblehead, Ohio 43440

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🌐: www.danburytownship.com

BOARD OF ZONING APPEALS APPLICATION

Date Filed: _____ Application #: _____

Action: _____

Rejected Permit: _____ Approved Permit: _____

1. **Property Location:** _____

Parcel ID# _____ Zoning District : _____

Attach Deed For Complete Property Legal Description

Existing Use _____ Proposed Use _____

2. **Agent** _____ Address _____

City _____ State _____ Zip _____ Phone _____

Email: _____

3. **Appellant/ Owner** _____ Address _____

City _____ State _____ Zip _____ Phone _____

Email: _____

Use an additional application if there is more than one owner making the request.

4. **Specific Request:**

Area Variance Use Variance Special Exception Conditional Use Appeal

Chapter / Section _____

Practical Difficulty _____

Attach Separate Narrative Statement Describing The Request If Additional Space Is Needed.

5. Attach a Narrative Statement with a response to each Decision Standard listed in **Attachment "A"** hereto, as is relates to the specific request.

6. Maximum 11" x 17" sized drawings. Attach a scaled site plan/ plot plan showing the dimensions of the property, location of roads, size and location of existing and proposed structures, including but not limited to driveways, patios, sidewalks and decks, as well as the setback distances from the property lines to each of these aforementioned items on

the property. Elevations shall also be submitted when applicable. Applications for signs shall include all drawings depicting the size, height and location of the proposed sign.

7. A typewritten list of the names & addresses of the property owners contiguous to and directly across the street from the property involved.

8. Photographs or any other information and documentation as it relates to the request being made.

An application is hereby made for an appeal before the Danbury Township Board of Zoning Appeals (BZA). It is understood and agreed to by the appellant(s) and agent(s) that the Board of Zoning Appeals is a quasi-judicial Board. The BZA's primary function is to hear testimony and issue a decision. The BZA only hears relevant, sworn testimony from the Appellant, his/her duly appointed agent or attorney, and any other person with standing to testify in a particular matter. The Appellant has the right to cross-examine any testimony given. Hearings are open to public attendance. Unless appealed to the judicial system, the subject property shall comply with the decision rendered and the laws of the State of Ohio, and; should an application be granted, a permit shall be applied for and issued 30 days after such decision is rendered. The Appellant and Agent hereby certify that the information and statements given on this application, drawings and specification are to the best of their knowledge, true and correct.

(Agent's Signature)

(Date)

(Appellant's Signature)

(Date)

Filing Fee = \$200.00 Legal Ad Fee \$ _____ Postage Fee \$ _____ Total Fees Paid \$ _____ Amount Invoiced \$ _____

Cash/ Check # _____ List of neighboring property owners provided? Yes No

PLEASE REFER TO THE BZA DOCKET CALENDAR FOR SUBMISSION DATES.
INCOMPLETE OR LATE APPLICATIONS WILL NOT BE ACCEPTED.

Do not write below this line

ZONING SUMMARY

BZA Hearing Date: _____

BZA Application #: _____

Notice Sent to Newspaper: _____ **Published:** _____

Notice Sent to Neighboring Property Owners: _____

BZA Action: Approved Denied Approved w/ Conditions **Vote:** _____

Decision Sheet signed: _____ **Expiration of Approval:** _____

Date Letter Sent to Appellant: _____

Permit# Issued: _____ **Date:** _____

ATTACHMENT “A”
DECISION STANDARDS

Section 6.2.2 - Conditional Uses:

- A. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan;
- B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;
- C. Will not be hazardous or disturbing to existing or future neighboring uses;
- D. Will not be detrimental to property in the immediate vicinity or to the community as a whole;
- E. Will be served adequately by essential public facility and services;
- F. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public/private streets or roads.
- G. In considering an application for conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structure.

Section 7.8.2.C.i - Area Variances:

- 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 (for example, water, sewer, garbage).
- E. Whether the property owner purchased the property with knowledge of the zoning restriction.
- 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 requirements would be observed and substantial justice done by granting the variance.

Section 7.8.2.C.ii - Use Variances:

- 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 the 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 to the applicant.
- C. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, 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.

DANBURY TOWNSHIP BOARD OF ZONING APPEALS

Applications requesting an adjudication hearing before the Board of Zoning Appeals shall be filed in the office of the Zoning Inspector and must consist of the following:

- _____ 1. Application form.
- _____ 2. Copy of the deed showing ownership and legal description of the property. If the applicant is not the owner of the property or representing the owner of the property, the applicant submit a notarized form from the owner granting the applicant authority to request the variance.
- _____ 3. ***Plans and drawings may be no larger than 11" x 17.*** A scaled site plan/ plot plan showing the dimensions of the property, location of road(s), size and location of any existing and proposed structure(s) on the property, setbacks to these structures, and direction of north. 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 the overhang, not the foundation.). Elevation drawings are also required when applicable. Applications for signs shall include all drawings depicting the size, height and location of the proposed sign.
- _____ 4. Photographs or any other information and documentation as it relates to the request being made.
- _____ 5. A typewritten list of the names and addresses of property owners, contiguous to and directly across the street from, the property involved. The names and addresses shall be obtained from the County Auditor's current tax list or the County Treasurer's mailing list. Failure to deliver all of the property owners' 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.
- _____ 6. A typewritten statement describing the proposal for the property and answering each of the Decision Standards as they apply.
- _____ 7. A \$200.00 filing fee. Checks should be made payable to Danbury Township.

No application will be scheduled for hearing until all of the above items have been filed with the Zoning Inspector. Hearings are held the third Wednesday of each month. Filing deadline is noon on the last Friday of the preceding month.