



CLINTON COUNTY BOARD OF ZONING APPEALS APPLICATION FOR VARIANCE

Application No. _____

Date Filed _____

Hearing Date: _____

Action Date _____

Action _____

Purpose and Guidelines for Variances

The Board of Zoning Appeals (BZA) may grant a variance when there is clear and convincing evidence that:

- Strict application of the Zoning Resolution will cause the applicant practical difficulty due to the physical conditions of the land, and
- Strict application of the zoning regulation is inequitable and will deprive the applicant of the beneficial use of the land or buildings involved.

In making its decision, the BZA shall preserve the spirit of the Zoning Resolution and weight the competing interest of the community and applicant.

Application Instructions

A. Answer All Questions. Your answers are the most important source of information the Board of Zoning Appeals uses to rule on your application for a variance. Answer clearly and concisely, but completely. Attach additional sheets if necessary. Incomplete applications will be returned.

B. Sample Entries for Question 3

Section	Concerning	Purpose	From	To
13.05.03	Front Yard Depth	Reduction	105	95
31.03(B)	Area Limitation	Accessory Bldg. Increase	2% of lot	2.02% of lot

C. File the original application, plus any attachments, and deposit filing fees with the Zoning Office to begin the review process.

RESIDENTIAL - \$200.00 PLUS ACTUAL LEGAL NOTICE FEES

COMMERCIAL - \$400.00 PLUS ACTUAL LEGAL NOTICE FEES

1. Applicant/Owner Information

Applicant: _____

Mailing Address: _____

Contact Number: _____

Email: _____

Interest in Property _____

Owner: _____

Mailing Address: _____

Contact Number: _____

Email: _____

2. Property Information

Attach legal description of property.

Tax Parcel No. _____

Address _____ Twp. _____

Between _____ and _____

Current Zoning _____ Current Use _____

Proposed Use _____ Corner Lot Yes No

Attach a narrative description, dimensional plan, drawn to approximate scale, showing all existing structures and the variance(s) requested, and any other matters relating to Part 3, below:

3. Request for Variance

I request the following variance (s):

<u>Section</u>	<u>Concerning</u>	<u>Purpose</u>	<u>From</u>	<u>To</u>

4. Facts in Support of Request for Variance

The BZA will not grant a variance unless the Applicant presents clear and convincing evidence that the applicant will encounter practical difficulties in complying with the Zoning Resolution. Describe the facts relevant to your property that would support findings practical difficulties.

A) Describe the Use for which you seek the variance.

B) Explain, in detail, the grounds on which you claim that the BZA should grant the variance.

Describe the specific reasons that justify granting the variance in terms of the following factors. No single factor controls in a determination of practical difficulties. The following points, among other, may be considered in determining whether an applicant has encountered practical difficulties:

A) Will the property yield a reasonable return without the variance?

B) Is there any beneficial use of the property without the variance?

C) Is the variance substantial?

D) Will the variance adversely affect the delivery of Governmental service?

E) Will the comprehensive plan for the area suffer a substantial detriment because of the variance?

F) Will the variance adversely affect the delivery of Governmental service?

G) Did applicant purchase the property knowing of the zoning restriction?

2.

H) Can the applicant cure the difficulty other than by a variance?

I) Will granting the variance observe the spirit and intent of the zoning requirement?

J) Will granting the variance do substantial justice for the applicant and the community?

K) Will the variance substantially alter the essential character of the area?

Applicant _____ desires a court stenographer to attend the hearing on this application and agrees to pay attendance fees.

_____ waives the presence of a court stenographer.

By submitting this application for variance, applicant agrees to appear at the public hearing on this application and acknowledges that failing to appear may result in summary denial of the application.

Applicant acknowledges that a notice of the public hearing must be published in a newspaper and agrees to pay the cost of such publication in addition to the filing fee for this application prior to being heard before the Board.

Signature

Date