

Fee Paid by Cash / Check # \_\_\_\_\_

Application # \_\_\_\_\_ -VA-20 \_\_\_\_\_

# APPLICATION FOR VARIANCE

## JACKSON TOWNSHIP BOARD OF ZONING APPEALS

3756 Hoover Road Grove City, OH 43123 (614) 875-2742

Property Owner: \_\_\_\_\_ Applicant: \_\_\_\_\_

Address: \_\_\_\_\_ Zoned: \_\_\_\_\_

PID: 160- \_\_\_\_\_ Area/Acres: \_\_\_\_\_ Floodplain: \_\_\_\_\_

(Home): \_\_\_\_\_ (Work): \_\_\_\_\_ (Cell): \_\_\_\_\_

Email Address: \_\_\_\_\_

**Summary of Variance:** *On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable Development Standards of the Zoning Resolution unreasonable or impractical. Therefore, the procedure for Variance from Development Standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change in the application of this Zoning Resolution.*

To the Board of Zoning Appeals, the Applicant requests Appeal from Section: \_\_\_\_\_

Accessory Structure

Access Driveway

Setbacks

Lot Requirements

Landscaping

Fence / Wall

Development Standards

Violation Appeal

Other

**Requesting the following specific variance:**

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*Under Ohio Law (519.14) the Board of Zoning Appeals may only approve a Variance that (A.) will not be contrary to the public's best interest and (B.) that the spirit and intent of the Zoning Resolution will be observed. The applicant summarizes below the following (Attach extra sheets if necessary):*

1. Describe the special conditions and/or circumstances that exist and which are peculiar to the land and/or structures for the property seeking Variance. Did the property owner / applicant create the unique circumstances? Yes / No (circle one).

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2. Describe how the Township's Zoning Code restrictions will deprive the property owner of property rights commonly enjoyed by other properties in the area. Did the property owner / applicant purchase the property knowing of these restrictions? Yes / No (circle one).

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3. Describe in specific detail why this Variance request **WILL NOT** adversely affect the health, safety or general welfare of adjacent property owners or neighbors.

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### SUBMITTAL CHECKLIST

- |  |   |
|--|---|
| <input type="checkbox"/> Legal Description / Deed    | <input type="checkbox"/> Photos documenting requested use |
| <input type="checkbox"/> Plot Plan / Site Plan       | <input type="checkbox"/> Date Filed _____                 |
| <input type="checkbox"/> Detailed Building Plan      | <input type="checkbox"/> Legal Ad _____                   |
| <input type="checkbox"/> Property Owners within 500' | <input type="checkbox"/> Notices Sent _____               |
| <input type="checkbox"/> Application Fee             | <input type="checkbox"/> Hearing Date _____               |

# VARIANCE PROCEDURES

**PUBLIC NOTICE:** After filing your Variance Application, the Zoning Administrator will provide written notice of your request to all property owners within approximately five-hundred (500') feet of the exterior boundaries of the property. *Written notice to property owners, and a Legal Notice in the Grove City Record will occur approximately ten (10) days prior to the date of the hearing.* The Zoning Administrator will visit the property prior to the Public Hearing date to photograph the requested variance. **NOTE:** By filing this Variance you grant permission to the Township and its employees to enter upon your property for the purpose of documenting and photographing the existing conditions of the property and of situations for the requested variance. All application materials including photographs become public records of the Township and will be posted on the Township's website for public information purposes.

**PUBLIC HEARING:** The Applicant or the applicant's representative must be present at the Public Hearing at the date and time scheduled. All persons wishing to speak will be asked to stand and be sworn in to speak truthfully. It is the responsibility of the applicant to accurately present all facts, statements, photographs and other evidence supporting their request for variance. The Board Chair will allow persons present to voice their opinions either for or against your request. The Board Chair will ensure that the meeting will be conducted in an orderly and professional manner. All Public Hearings are conducted at the Township Hall, 3756 Hoover Road, Grove City, Ohio.

**APPROVAL PROCESS:** Under Ohio Law (519.14) the Board of Zoning Appeals may only approve a Variance that will not be contrary to the public's best interest and that preserves the spirit and intent of the Zoning Resolution. The Board of Zoning Appeals must apply the standard of "*PRACTICAL DIFFICULTY*" when reviewing your variance request. This legal standard, developed through Ohio case law provides for the following guidelines to be used by the Board of Zoning Appeals:

1. Whether the property will yield a reasonable return or whether there can be beneficial use of the property without the variance;
2. Whether the variance is "substantial";
3. Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a "substantial detriment";
4. Whether the variance would adversely affect the delivery of government services;
5. Whether the property owner purchased the property with knowledge of the zoning restrictions;
6. Whether the problem can be solved by some manner other than the granting of a variance;
7. Whether the variance preserves the "spirit and intent" of the zoning requirement and whether "substantial justice" would be done by granting the variance.

*Additionally, the Board of Zoning Appeals may approve your request with certain stipulations and conditions in order to preserve the spirit and intent of the Zoning Resolution and to ensure that your request will not substantially affect adjoining properties or the character of the property.*

# APPLICANT'S AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

I/We \_\_\_\_\_  
(Name of property owner / applicant)

\_\_\_\_\_  
(Address) (City, State, Zip Code) Home: \_\_\_\_\_ (Phone)

Cell: \_\_\_\_\_ (Phone) Business: \_\_\_\_\_ (Phone)

“the above named Owner / Applicant being duly sworn, depose and say that I/We are the owner(s) of the land included in the application and that the foregoing statements contained herein and attached hereto, and any and all supplemental information, attachments or exhibits accurately describe the request to the best of my ability. By filing this Application for Variance. I/We do hereby grant permission to Jackson Township and its employees to enter upon my property and to photograph and document all conditions observed therein and to post all application materials upon the Township’s website for public information purposes.”

\_\_\_\_\_  
(Owner Signature)

\_\_\_\_\_  
(Co-Owner Signature)

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_  
(Day) (Month) (Year)

\_\_\_\_\_  
(Notary Signature)

Stamp or Seal

## ACTION BY TOWNSHIP

Application Received & Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ 7:00pm at the Jackson Township Hall, Grove City, Ohio