

**PERRY TOWNSHIP ZONING DEPARTMENT**

Franklin County, Ohio

7125 Sawmill Rd, Dublin, Ohio 43016-9018

(614) 889-1211

Fax: (614) 791-7894

The issuance of a Variance does not in any way supersede, alter or otherwise affect any other type of restriction pertaining to this property as may be found on the applicable plat, deed or elsewhere. It is the responsibility of the applicant to ensure that his/her/their proposed use meets all other public and private requirements, which may be imposed, or otherwise affect the land, structure(s) and or use referenced herein.

A final zoning inspection will be required of this property once the project is completed. Submitting this permit application to Perry Township establishes the property owner's consent for and authorization of Township staff member(s), including, but not limited to, the Township Zoning Inspector or his/her designee, to enter upon the project property and inspect the property and structure(s) in order to determine whether to issue a Zoning Certificate of Compliance. Please contact the Zoning office at the number listed above to schedule this inspection.

\_\_\_\_\_  
Applicant/Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_

Address

\_\_\_\_\_  
Perry Township Code Enforcement Officer

\_\_\_\_\_  
Date

Variance # \_\_\_\_\_

# APPLICATION FOR VARIANCE

**BOARD OF ZONING APPEALS**  
Perry Township, Franklin County, Ohio  
7125 Sawmill Road  
Dublin, Ohio 43017

<p><b>ZONING OFFICE USE ONLY</b> Application No.: _____ Date Filed: _____ Fee Receipt No.: _____ Received By: _____</p>
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-- Please type or print information – Use additional sheets as necessary --

## Statement of Understanding

I, \_\_\_\_\_ (applicant/owner/agent) understand this Application For Variance must be filed with all pertinent information as it pertains to the requirements of the Perry Township Zoning Resolution and all other requested information required by the Perry Township Zoning Board of Appeals in order to be considered complete. I understand that this application will not be considered filed until all the required information has been received and the application fee paid, and also understand that the Perry Zoning Board of Appeals reserves the right to postpone this request until such time as the requirements are met.

Owner(s) signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_

Applicant/Agent signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_

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## A. GENERAL INFORMATION

### 1. NAME & ADDRESS OF PROPERTY OWNER

Name(s): \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_

### 2. NAME & ADDRESS OF APPLICANT AND/OR AGENT

Name(s): \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_

**B. LOCATION**

DESCRIPTION OF SUBJECT PROPERTY

Complete Street Address:

\_\_\_\_\_

Subdivision Name:

Section:            Township: Perry        Range:

Lot Number:

Other Designation: \_\_\_\_\_

\_\_\_\_\_

**NOTE:        If not a platted subdivision, attached legal description**

**C. VARIANCE REQUEST**

Please list the applicable Perry Township Zoning Resolution Section Number and Title you are requesting a variance for.

Section # _____	Title _____
Section # _____	Title _____
Section # _____	Title _____
Section # _____	Title _____

**Submissions:**

1. One copy of a plot plan drawn to an appropriate scale (to fill a sheet not less than 8.5x11 inches). The plan shall clearly show the following; the boundaries and dimensions of the subject tract; the nature of the special conditions or circumstances giving rise to the application for approval; the size and location of existing and proposed structures; the proposed use of all parts of the subject tract, including structures, access ways, walks, off-street parking and load spaces, and landscaping; the relationship of the requested variance to the Development Standards; and the use and location of structures on adjacent property.
2. One complete copy of this application, including all attachments. The application shall be filed with the Township Zoning Inspector.
3. The fee as prescribed in the Perry Township Fee Schedule.

\_\_\_\_\_

## D. SUPPORTING INFORMATION

1. Please provide a detailed description of the nature of the variance requested, including the specific provisions of the Zoning Resolution upon which the variance is requested and a narrative statement demonstrating that the requested variance conforms to the standards set forth in the Perry Township Zoning Resolution.

2. The Perry Township Zoning Resolution permits the Board of Zoning Appeals to approve variances only after certain criteria are met. These criteria include (except in the case of an area variance as outlined in Item 3, below):

- (a) That such variance will not be contrary to public interest; and
- (b) That owing to special conditions, a literal enforcement of this Zoning Resolution will result in unnecessary hardship; and
- (c) That the approval of such variance or modification thereof is consistent with the spirit of this Zoning Resolution, and substantial justice shall be done thereby.

When reviewing the foregoing criteria, the Board of Zoning Appeals will consider all relevant factors, including, but not limited to, the following:

- (a) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same district.
- (b) A literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the same terms of this Resolution.
- (c) Special conditions and circumstances do not result from the actions of the applicant.
- (d) Granting the variance will not confer on the applicant the same effect as rezoning to another district classification
- (e) Granting the requested variance will conform to the Perry Township Comprehensive Plan and the spirit and intent of the Perry Township Zoning Resolution.
- (f) The requested variance is the minimum variance necessary to accomplish the purpose of the request.
- (g) Granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to persons or property in such vicinity, or injurious to private property or public improvements in the vicinity.

The required narrative should address these criteria and these factors in the context of your particular variance request. It should, however, be noted that the Board of Zoning Appeals cannot grant a variance for a use not permissible in the Zoning District.

3. The Perry Township Zoning Resolution permits the Board of Zoning Appeals to approve an area variance only if the property owner has encountered practical difficulties in the use of the subject property. The Board of Zoning Appeals will consider all relevant factors, including, but not limited to, the following items:

- (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 substantial detriment as a result of the variance.
- (d) Whether the variance would adversely affect the delivery of governmental services (e.g., 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 requirement would be observed and substantial justice done by granting the variance.

The required narrative should address these factors in the context of your particular variance request for a variance to an area requirement.

**E. DECISIONS OF THE BOARD OF ZONING APPEALS**

The Perry Township Zoning Resolution provides that the concurring vote of three (3) members of the Board of Zoning Appeals is necessary to approve an application for a variance. The failure to obtain at least three (3) concurring votes approving the application will constitute a decision for disapproval of the application.

**F. APPLICANT AFFIDAVIT**

STATE OF OHIO  
COUNTY OF FRANKLIN

I/We \_\_\_\_\_, being duly sworn, depose and say that I am/ We are the owner(s) of land included in the application and that the foregoing statement herein contained and attached, and information or attached exhibits thoroughly to the best of my/our ability present the arguments on behalf of the submitted application herewith submitted and that the statements and attached exhibits above referred to are in all respects true and correct to the best of my/our knowledge and belief.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to me before this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

\_\_\_\_\_  
Notary Public

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**FOR OFFICIAL BZA USE  
ONLY**

Date Filed: \_\_\_\_\_ Fee Paid: \$ \_\_\_\_\_ Fee Receipt No.: \_\_\_\_\_

Date of Notice to Parties in Interest: \_\_\_\_\_ Date of Publication: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

Planning Commission Recommendation (if applicable): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Perry Township Zoning Commission Recommendation (if applicable): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Other Recommendations (if applicable): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**DECISION OF BOARD OF ZONING APPEALS**

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Other: \_\_\_\_\_

Reasons for approval, including any conditions or safeguards prescribed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reasons for denial: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

BOARD OF ZONING APPEALS  
Perry Township Office  
7125 Sawmill Road  
Dublin, Ohio 43017

By: \_\_\_\_\_  
Secretary

Date \_\_\_\_\_