

Application for Use Variance

This variance application involves the following modifications of the Madison Township Zoning Resolution:

Articles Number: # _____ # _____ # _____
_____ # _____ # _____
_____ # _____ # _____

A use variance is granted only upon finding of an "unnecessary hardship" which generally means that the property owner cannot make any economically viable use the property under the current zoning restrictions. Furthermore, the variance requested must be in harmony with the existing zoning and may not alter the character and use of the zoning district. The Board of Zoning Appeals has no authority to rezone property under the guise of a use variance.

A "use" variance is an application for a deviation from the permitted uses in the subject zoning district.

While the "unnecessary hardship" presents special consideration, they may not be treated by public officials as the applicants "request for favors".

In order for a variance to be granted, **the applicant must prove** to the Board of Zoning Appeals the following items. Please address the following questions on a separate page.

1. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in other properties of the same zoning.
2. The hardship condition is not created by actions of the applicant.
3. The granting of the variance will not adversely affect the rights of adjacent owners.
4. The granting of the variance will not adversely affect the public health, safety or general welfare.
5. The variance will be consistent with the general spirit and intent of the zoning resolution.
6. The variance sought is the minimum which will afford relief to the applicant.
7. There is no other economically viable use which is permitted in the zoning district.

Attachments and additional information required:

Attach plans for the proposed home occupation showing the locations of building(s), parking, loading areas, traffic access and circulation drives, open spaces, landscaping, utilities, signs, yards, refuse and service areas and etc. Also, a narrative statement relative to the above requirements may be included.

Plans drawn to scale, preferably 8 ½ inches by 11 inches but no larger than 11 inches by 17 inches, must accompany this application showing dimensions and shape of lot, the size and locations of existing structures and other information as required.

Application for Use Variance

continued from page 2

Attach a statement explaining the economic, traffic and other effects to adjoining property and the general compatibility with adjacent and other properties in the district.

If the applicant is not the property owner, a letter from the property owners must be included with the property owners approval of the Use Variance.

Attach a statement explaining compliance with Article 13 of the zoning resolution. Also included a copy of Article 13 signed and dated by applicant and property owner to attest to the article.

Provide a list of all adjoining property owners with their complete names and mailing addresses in accordance with the Licking County Auditor's current tax list. Typed or legible handwriting on form provided. This includes adjoining property owners on all sides, including across the road or street from the property and right-of-ways that may have been provided to other individuals.

A non-refundable application fee of \$_____.00 is required to help cover costs of the variance. Payment is preferred by check payable to Madison Township.

PLEASE NOTE: Failure to accurately complete the above may result in the return of the variance application for completion or denial of the use variance.

Submittal of this application does not imply nor guarantee approval by the Madison Township Board of Zoning Appeals. Approval or denial of any application is at the sole discretion of the Madison Township Board of Zoning Appeals. It is recommended that the applicant or a representative for the applicant be present at the scheduled public hearing(s).

I certify that the information contained in this application and its supporting documents are true and correct.

Applicant Signature

Date

When complete, please return to:

Roy Whisner, Madison Township Zoning Inspector
Phone: 740-618-3820
Email: madisonzoning@gmail.com

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PLEASE NOTE: Failure to accurately list all adjoining property owners may result in the return of the application for completion or denial of the variance.

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

Attach additional pages if needed.

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