

City of Franklin

1 Benjamin Franklin Way
Franklin, OH 45005
937.746.9921
www.franklinohio.org



BOARD OF ZONING APPEALS APPLICATION

(See page 2 & 3 for application submittal instructions)

Date of Application:		Application #:	
APPLICATION TYPE			
<input type="checkbox"/> Variance (\$150)		<input type="checkbox"/> Administrative Appeal (\$150)	
<input type="checkbox"/> Changes or Substitutions in Nonconforming Uses (\$150)			
PROPERTY INFORMATION			
Address:		Parcel #	
Current Zoning District:		Current Use:	
Description/Nature of Request:			
CURRENT PROPERTY OWNER		APPLICANT INFORMATION (If Different from Owner)	
Contact Name:		Contact Name:	
Business Name:		Business Name:	
Address:		Address:	
City, State Zip:		City, State Zip:	
Phone:		Phone:	
Email:		Email:	
By signing this application, I attest under penalty of law that all information provided is correct to the best of my knowledge.			
Applicant Signature: _____		Date _____	
Owner Signature: _____		Date _____	
If the applicant is not the owner of the subject property, a notarized letter of authorization from the property owner(s), designating the applicant as his/her/their representative. *Application Must be Signed			
OFFICE USE			
Type of Application Denied:		Date Received:	
Date of Denied Application:		Zoning District:	
Reason for Denial:		Meeting Date- TRC: BZA:	
		Legal Notice Advertised:	
UDO:		Mailed Adjacent Property Owners:	

VARIANCE SUBMITTAL REQUIREMENTS

- 1) If the applicant is not the owner of the subject property, a notarized letter of authorization from the property owner(s), designating the applicant as his/her/their representative.
- 2) A **Legal Description** of the property – either a deed or a drawing prepared by a surveyor registered in the State of Ohio.
- 3) A **List** of Property Owners of property that is contiguous to the applicant’s property or that is across the street from it (The list shall be based upon the Warren County Auditor’s current tax lists).
- 4) A **Vicinity Map** showing property lines, thoroughfares and existing zoning.
- 5) A **Narrative Statement** establishing and substantiating the justification for the variance, pursuant to the following Standards of Approval:
 - A. Special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures within the same zoning district. (Examples of such special conditions or circumstances are: exceptional irregularity, narrowness, shallowness, or steepness of the lot, etc.);
 - B. The special conditions or circumstances that exist did not result from the actions of the applicant;
 - C. There cannot be any beneficial use of the property without the variance;
 - D. The variance is not substantial and is the minimum relief necessary to make possible the reasonable use of the land or structures;
 - E. The difficulty or reason why the applicant is seeking a variance cannot be resolved through any method other than a variance;
 - F. The essential character of the neighborhood will not be substantially altered nor will adjoining properties would suffer substantial detriment as a result of the variance;
 - G. The variance will not adversely affect the delivery of governmental services such as water, sewer, and trash pickup;
 - H. Granting the variance will be in harmony with the general purpose and intent of the zoning requirement the applicant seeks a variance from and will not otherwise be detrimental to the public's health, safety, or welfare; and
 - I. Granting of the variance requested will not confer upon the applicant any special privilege that is denied by this UDO to other lands, structures, or buildings in the same district.
- 6) **Site plans**, floor plans, elevations and other drawings at a reasonable scale to convey the need for the variance, as directed by the Zoning Official
- 7) **Application Fee**

Additional Conditions and Safeguards: In approving a request for a variance, the Appeals Board may further prescribe any conditions and safeguards that it deems necessary to ensure that the objectives of the regulations or provisions to which the variance applies will be met. If the applicant will not agree with such conditions, the Variance shall not be granted.

Expiration of the Variance: Variances shall expire one (1) year from the date of approval, unless prior thereto the applicant applies for a building permit in accordance with the granted variance. There shall be no modification of any variance except upon further approval of Appeals Board.

Please be advised that the submission of additional supporting information may be required.

ADMINISTRATIVE APPEAL SUBMITTAL REQUIREMENTS

- 1) If the applicant is not the owner of the subject property, a notarized letter of authorization from the property owner(s), designating the applicant as his/her/their representative.
- 2) **Legal Description** of property or portion thereof;
- 3) A **Statement** detailing the order, requirement, decision or determination that the applicant is appealing, and detailing the error in the order, requirement, decisions or determination that the applicant alleges was made.
- 4) **Application Fee**

Appeals: Notwithstanding any other provision of the UDO, the following outlines the appeals process and requirement for appeals to Appeals Board from an administrative decision by the Zoning Official or the City Engineer:

Such appeal shall be made within twenty (20) days from the date of the action appealed from, by filing a notice of appeal with the Zoning Official.

Please be advised that the submission of additional supporting information may be required.

CHANGES OR SUBSTITUTION IN NONCONFORMING USES SUBMITTAL REQUIREMENTS

- 1) If the applicant is not the owner of the subject property, a notarized letter of authorization from the property owner(s), designating the applicant as his/her/their representative.
- 2) A **Legal Description** of the property or portion thereof where the nonconforming use is located and, if applicable, the proposed new location;
- 3) A **List** of Property Owners of property that is contiguous to the applicant's property or that is across the street from it (The list shall be based upon the Warren County Auditor's current tax lists).
- 4) **Description** of the existing and proposed substitute use, proposed extension or proposed new location
- 5) A **narrative statement** indicating how the substitution, extension or relocation meets the required standards;
- 6) Extent of any proposed interior or exterior building alterations that are being requested; and
- 7) A **list** of the surrounding uses and zoning classifications
- 8) **Application Fee**

Additional Conditions and Safeguards: In approving a request for a change in a nonconforming use, the Appeals Board may further prescribe any conditions and safeguards that it deems necessary to ensure the public health, safety and welfare, including, but not limited to, limiting hours of operation, requiring additional parking, limiting access points to the property, or requiring a buffer yard. If the applicant will not agree with such conditions, the Change in Use shall not be granted.

Please be advised that the submission of additional supporting information may be required.