

SPRINGBORO

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APPLICATION FOR BOARD OF ZONING APPEALS

ALL six sections must be completed for application to be processed

1 Address: _____
Lot No.: _____ Parcel ID: _____ Zoning District: _____

2 Request for:
 -APPEAL (see Section 1285.02 on page 2) -VARIANCE (see Section 1285.04 on page 2)

3 Briefly explain request:

PLEASE PRINT	Name	Address	Email <i>*Required for processing*</i>
Property Owner			

4 The applicant must provide the following:

5 -List of property owners within 200 feet of all property boundaries (attached)
 -Copy of certified site plan, if required (attached)
 -Variance requests shall include a statement addressing all items noted in Section 1285.04(e)
 -Application Fee
 Appeal: \$133.00
 Variance: \$195.00

The above request shall be heard by the Board of Zoning Appeals (BZA) of the City of Springboro at the earliest date allowed by law.

6 I hereby certify, as the owner or authorized agent of the owner, that I have read the above information and have provided the required documentation. I also agree to pay all actual costs incurred by the City of Springboro (approximately \$500), which will be billed to me by the City of Springboro to be paid prior to the BZA hearing.

Applicant's Name: _____ Email: _____

Applicant's Signature: _____ Date: _____

1285.02 APPEALS.

The Board of Zoning Appeals shall hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this Zoning Code. Appeals to the Board of Zoning Appeals concerning the interpretation or administration of this Zoning Code may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by a decision of the Zoning Inspector. Such appeals shall be taken within a reasonable time, not to exceed 60 days or such lesser period as may be provided by the rules of the Board, by filing with the Zoning Inspector and with the Board a notice of appeal specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. The Board shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest in accordance with Section 1285.04, and decide the same within a reasonable time. At the hearing, any party may appear in person or by an agent or attorney. (Ord. 0-15-4. Passed 2-19-15.)

1285.04 VARIANCES.

The Board of Zoning Appeals is hereby authorized to authorize, upon appeal in specific cases, a variance from this Zoning Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this Zoning Code would result in a practical difficulty. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance. A variance from this Zoning Code shall not be granted by the Board unless and until the following procedure is followed.

- (a) Application. A written application for a variance.
 - (b) Schedule a Public Hearing. A Public Hearing shall be scheduled within 60 days of filing the application.
 - (c) Notice of Public Hearing. Before holding the Public Hearing, notice of such hearing shall be given at least 15 calendar days before the date of such hearing. The owner of the property for which the application is made, or his or her agent, shall be notified by general mail or personal delivery. Notice of such hearing shall be posted on the property for which the application is made, at the Municipal Building, and in other locations required under City Code Section [224.01](#), Posting Places, at least 15 days prior to the Public Hearing.
 - (d) Public Hearing. The Board of Zoning Appeals shall hold a Public Hearing in accordance with state law. Any party may appear in person or by an agent or attorney.
 - (e) Findings of the Board of Zoning Appeals. The Board shall make findings that the following requirements have been met by the applicant for a variance:
 - (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.;
 - (2) A literal interpretation of this Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under this Zoning Code;
 - (3) The special conditions and circumstances do not result from the actions of the applicant; and
 - (4) Granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Code to other lands, structures or buildings in the same district.
- (Ord. 0-15-4. Passed 2-19-15.)