



# VARIANCE APPLICATION

## Board of Zoning Appeals – Variance Application

Please complete the following form and submit all requested material with your application. Materials submitted as part of this application are retained as part of the public record for this case. Applicants are encouraged to keep a copy of all materials for their own records.

Property and Owner Information		STAFF USE ONLY
PROPERTY ADDRESS – OR PARCEL NUMBER(S) IF NO ADDRESS		FILE INFORMATION
Applicant Contact Information		
APPLICANT NAME		RECEIVED AMOUNT / CHECK #
APPLICANT ADDRESS		
PREFERRED CONTACT METHOD	APPLICANT EMAIL	CASE NUMBER (S)
<input type="checkbox"/> EMAIL PREFERRED <input type="checkbox"/> PHONE PREFERRED	APPLICANT PHONE	MEETING DATE

Please attach an extra page should you need more space to answer any of the questions. Remember to attach the owner’s affidavit along with any required plans to your application.

Plot Plan Requirements and Elevation Drawings
<p>In addition to the completed application, please provide a digital PDF or (2) copies physical paper plans (<i>11x17 preferred</i>) illustrating the following requirements:</p> <ol style="list-style-type: none"> <li>1. The property boundaries and dimensions of the entire lot.</li> <li>2. Elevation drawings illustrating the height and façade measurements.</li> <li>2. The size, location, and dimensions of all existing and proposed structures</li> <li>3. The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces and landscaping.</li> <li>4. The relationship of the requested variance to the standards set by the Zoning Resolution.</li> <li>5. The use of land and location of structures on adjacent property</li> </ol>

## Supporting Application Questions and Materials

Please describe the facts upon which this appeal or application are based on the following pages. You may attach an additional sheet of paper if more room is needed.

I/we hereby request the Board of Zoning Appeals to authorize issuance of a Zoning Certificate for:

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# Board of Zoning Appeals – Variance Application

List and describe all types of easements and other restrictions recorded with Montgomery County, which concern this Appeal or application:

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If any pervious appeal or application has been filed in connection with this property, state date or dates:

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## Description of Property and Nature of Variance

1. The nature of the variance, i.e., including the specific provisions of the Zoning Resolution from which the variance is requested.

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2. Description sufficient to identify the property, including a reference of the volume and page of the last recorded deed or plat, if address or parcel ID are not available.

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3. Statement of special circumstances or conditions applying to the land or structure, but not applying generally throughout the Zoning District.

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4. Statement showing that those special conditions and circumstances do not result from the actions of the applicant.

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5. Statement showing that the granting of the variance is necessary to the preservation and enjoyment of substantial property rights.

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### COMMUNITY DEVELOPMENT

# Board of Zoning Appeals – Variance Application

6. In your own words, please **clearly describe** the request to which you are seeking approval *in detail* below. (If there is not enough space, please attach a separate sheet of paper describing your request.)

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## Standards for Variances

In granting a variance, the Board of Zoning Appeals shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the zoning district in conformity with this Zoning Resolution. Variances granted shall be the *minimum* necessary relief to alleviate the hardship.

In each specific case, the Board of Zoning Appeals shall determine existence of a practical difficulty by considering the following factors:

- A. The property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- B. The variance is substantial;
- C. The essential character of the neighborhood would be substantially altered or whether adjoining property owners would suffer a substantial detriment as a result of the variance;
- D. The variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
- E. The property owner purchased the property with knowledge of the zoning restrictions;
- F. The property owner's predicament can feasibly be obviated through some other method than a variance;
- G. The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

### COMMUNITY DEVELOPMENT



## Property Owner Affidavit

### Property and Application Information

Property Address or Parcel Number(s) Associated with this Application	Type of Application (or Case#)
Applicant's Printed Name or Company	Applicant's Phone
Applicant's Signature	Date

### Property Owner(s) Affidavit - Owner(s) signatures must be notarized.

I (we), \_\_\_\_\_  
 Owner(s) Printed Name

hereby certify that I (we) are the owner(s) of the above property. I (we) attest to the accuracy and truthfulness of the statements and any exhibits provided on this application to be true to the best of my (our) knowledge. We understand that our application will be considered and processed in accordance with the regulations set forth by the Miami Township Zoning Resolution. I (we) understand that the materials provided within this document are subject to public record and will be considered in rendering a decision on this request. I (we) authorize Miami Township to place a Public Hearing Notification sign on the property as needed during the proceedings of this hearing.

Owner Signature #1	Date	Owner Signature #2	Date
Owner #1 Printed Name		Owner #2 Printed Name	
Owner #1 Mailing Address		Owner #2 Mailing Address	
Owner #1 Phone		Owner #2 Phone	

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

Notary Stamp

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

\_\_\_\_\_  
 My Commission Expires