

BROWN TOWNSHIP ZONING OFFICE  
5555 State Route 521  
Delaware, OH 43015  
740-833-5777



Date Received _____
Date of Public Notice _____
Date of Action _____
Board Decision _____

VARIANCE APPLICATION

Applicant \_\_\_\_\_

Address of Applicant \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Applicant Phone ( ) \_\_\_\_\_ - \_\_\_\_\_ email \_\_\_\_\_

Property Information

Name of Property Owner \_\_\_\_\_

Address of Property \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ Zoning District \_\_\_\_\_

Variance Request

Section of the Brown Township Zoning Resolution requesting relief: \_\_\_\_\_

Request Description: \_\_\_\_\_

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

*Applicant to submit the Variance Application and Variance Request Questionnaire forms (10 copies each) as well as any other necessary evidence to support the request.*

I hereby acknowledge that I am requesting one or more variance in accordance with Section 28.06 of the Brown Township Zoning Resolution; that I have provided all required submittal materials; that the information contained herein, as well as all supplemental materials being submitted is true and correct; I am responsible for supplying necessary evidence to support my request.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

## VARIANCE REQUEST QUESTIONNAIRE FORM

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The following provisions, pursuant to *Duncan v. Middlefield*, 23 Ohio St. 3d 83 (1984), must be evaluated by the Board of Zoning Appeals before a variance can be granted. Respond to each of the criteria as it pertains to your request and support your statements with facts. If you are requesting multiple variance under one application, please make copies of this form and fill out a separate form for each request. Attach additional sheets to provide more space to answer the question if necessary.

Variations shall be granted only in cases of special conditions, involving physical conditions of the land, whereby strict application of such provisions or requirement would result in practical difficulty that would deprive the owner of the beneficial use of the land and buildings involved. No variance from the strict application of any provisions of this Resolution shall be granted by the Board unless it finds that, based upon the relevant facts and circumstances, that the applicant has encountered practical difficulties and that a strict application of a zoning requirement is inequitable. In considering an application for a variance, the Board of Zoning Appeals shall observe the spirit of this Resolution and weigh the competing interests of the applicant and the community. The factors to be considered and weighed in determining whether an applicant has encountered practical difficulties include, but are not limited to the following:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.

2. Whether the variance is substantial.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties or the comprehensive plan for the community would suffer a substantial detriment as a result of the variance.

4. Whether the variance would adversely affect the delivery of governmental services.

5. Whether the property owner purchased the property with knowledge of the zoning restriction.

6. Whether the owner's predicament feasibly can be obviated through some method other than a variance.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.