



VARIANCE REQUEST FOR BOARD OF ZONING APPEALS

CHECKLIST OF REQUIRED INFORMATION

- 1) One copy of the attached application form which includes:
 - a) Applicant(s) name, address, phone number
 - b) Proof of ownership, legal interest, or written authority
 - c) Legal description of property
 - d) Description or nature of variance requested
- 2) One copy of development plans, floor plans, elevations, and other drawings at a reasonable scale to convey the need for the variance. Drawing sheet sizes shall not exceed 24"x 36". All plans shall be at a scale of 1" = 30', 1" = 40', or 1"=50'.
Site plan shall show the following required information
 - a) The location of all buildings or structures on the site, and the distances to property or right of way lines
 - b) Location and outline of the proposed structure for which the variance is requested, and distances to property or right of way lines, and to other structures
 - c) Any easements that the site is subject to
 - d) Location of any utilities if know on site
 - e) Location of floodplain boundary, floodway, and base flood elevations (BFE) if applicable
- 3) Narrative statements establishing and substantiating the justification for the variance that includes the following items:
 - a) Whether the granting of the variance would be in accord with the general purpose and intent of the regulations imposed by the zoning code and the district in which it is located and shall not be injurious to the area or otherwise detrimental to the public welfare
 - b) Whether 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 in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to non-conforming and inharmonious uses, structures, or conditions.
 - c) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance. Mere loss in value or financial disadvantage to the property owner does not constitute conclusive proof of practical difficulty, there shall be deprivation of beneficial use of land.
 - d) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance.
 - e) Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup.
 - f) Whether the property owner purchased the property with knowledge of the zoning restrictions. Purchase without knowledge of restrictions in itself is not sufficient proof of practical difficulty.
 - g) Whether special conditions or circumstances exist as a result of the actions of the owner.
 - h) Whether the property owner's predicament feasibly can be obviated through some method other than a variance. Whether the granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted is the minimum variance that will accomplish that purpose.
 - i) Whether the proposed variance would impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.
 - j) Whether the granting of the variance requested would confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

- 4) An electronic copy of all plans listed in #1 through #4 above either emailed to Planning@delawareohio.net or delivered to the department.
- 5) A list of property owners located within the 200-foot buffer area from the Delaware County website. To obtain the list use the link: [Delaware County, Ohio Auditor GIS \(delco-gis.org\)](http://delco-gis.org). The *buffer* can be found in the upper right corner under *tools*.
- 6) Fees will be invoiced upon official acceptance of the application and required materials. Fees can be found in fee schedule on the website.

Agent Form

The undersigned, owner(s) of the certain real property described in the attached application, do hereby appoint and expressly grant full authority to (Name of Agent) to act as the sole agent(s) of and on behalf of the undersigned in all matters related to and in connection with the attached application. The undersigned hereby consents and agrees to be bound by the application, by any agreement made by the herein named agent with the City of Delaware in connection with this same case, and by all decisions made by the City in connection with this same case.

Owner's Signature

Owner's Signature

Printed Name

Printed Name

State of _____

County of _____

Sworn to or affirmed and subscribed before me by _____
Owner(s) Name(s)

this date of _____.

Signature of Notary Public

Notary Printed Name

Commission Expiration Date

SEAL

