



Butler Township Board of Zoning Appeals
3510 Sudachi Drive, Dayton, Ohio 45414
(937) 898-6735; FAX (937) 898-5308

ADMINISTRATIVE APPEAL APPLICATION

Fee: \$250.00

Case # _____ Date Filed: _____

PROPERTY LOCATION:

(Address)
ZONING DISTRICT: _____ PARCEL TAX ID: _____

CURRENT USE:

NAME OF APPLICANT(S):

Applicant is the: { } current owner/landlord { } purchaser { } tenant { } agent

APPLICANT'S MAILING ADDRESS:

PHONE: _____

SPECIFIC ZONING CODE SECTION(S) INVOLVED:

APPLICATION INSTRUCTIONS AND PROCEDURES

A proper site plan (plot plan) is a basic Board of Zoning Appeals (BZA) requirement. This plan must: 1) show boundaries of the zoning lot; 2) differentiate between existing and proposed buildings and uses; and 3) be drawn to scale at a size allowing a thorough examination of all issues to be presented. Whenever practicable, such site plan should be presented on paper no larger than 11" by 17." When a larger format is used, at least **one copy on a sheet not exceeding 11" by 17" will be required.**

A basis for appeal of the Zoning Administrator's decision must be stated clearly in order that the BZA might examine special circumstances justifying requested relief. Applicant(s) must attach a narrative addressing **all** the factors listed below:

1. What relief is desired? What zoning decision is sought from the Board?
2. Special conditions and circumstances exist which were either not considered, or were not given proper weight when the Zoning Administrator issued a decision adverse to interests of the applicant.
3. Such special conditions and circumstances are not the result of actions by the applicant or of others who have had control of the property.
4. Literal interpretation of zoning code provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district, and adjoining properties are not likely to

suffer a substantial detriment if an interpretation of the zoning code is rendered by the BZA which is different from that of the Zoning Administrator.

5. No beneficial use can be made, or reasonable economic return realized, from the property in question without zoning regulations relief.
6. The problem cannot be solved by any mechanism other than by action of this board.
7. The minimum necessary relief is being sought.

Any and all additional evidence will be welcomed, and such evidence might include existing and planned building elevations, and photographs or models.

Attendance at the BZA meeting scheduled to hear an administrative appeal application is required of the applicant(s) or their representative. Failure to appear may result in denial and the necessity to reapply.

Seven (7) copies of an administrative appeal application and supporting documentation must be submitted pursuant to provisions contained in the Butler Township Zoning Code. Also required is a list of all property owners within three-hundred (200) feet of the subject property. The application, along with supporting site and building plans, and such other documentation as may be attached or as may be introduced at the BZA hearing, will constitute the entire official record regarding this case.

Approval of an administrative appeal does not authorize construction, use or occupancy without the issuance of appropriate permits.

The undersigned attest to having read this application form, having addressed all the issues and requirements referenced herein, and having conferred with the zoning administrator. The undersigned, further, attest to the truth and accuracy of the statements and materials contained in this application and supporting materials, to the extent of personal knowledge about such matters.

Applicant's Signature

Date

Applicant's Printed Name

Applicant's Signature

Date

Applicant's Printed Name