

**BOARD OF ZONING APPEALS**  
 Village of South Lebanon  
 99 High Street  
 South Lebanon, OH 45065  
 (513) 494-2296

**APPLICATION FOR APPEALS, VARIANCES, CONDITIONAL USES, & SIMILAR USES**  
 A separate application is required for each appeal or variance requested.

**1. Application Type: (check the appropriate box)**

<input checked="" type="checkbox"/>	Dimensional Variance (Article 5)	<input type="checkbox"/>	Appeal (Article 5)
<input type="checkbox"/>	Conditional Use (Article 6)	<input type="checkbox"/>	Similar Use (Article 6)
<input type="checkbox"/>	Other Action (specify:)		
Identify the nature and extent of the requested action, and the grounds upon which the action is being requested. Include proposed use(s) and/or buildings to be constructed and any required dimensional calculations. A separate application will be required for each action requested:			
Variances being requested: --Maximum allowable square feet for identification sign is 150 SF. We are proposing to show a 165 SF sign. --Total allowable SF for all signs on site is 150 SF. We are proposing 327.8 SF of total signage for this site. --Canopy signage count as wall signs. We are permitted one wall sign for each street frontage, which totals two signs. We are proposing a total of 4 wall signs (one on the building, and three canopy signs).			

**2. Property Information**

<b>Project Location and Size:</b> Intersection of Corwin Nixon Blvd. extension and S.R. 48. Lot size is approximately 1.46 acres.			
SIDWELL No(s): N/A (plat is not yet finalized)		Lot Width: 225'	
Lot & Subdivision: Lot 2 of Rivers Crossing West Section 1		Lot Depth: varies. 251' on south side, 326 at greatest length on north side	
Address: N/A (no address given to this lot at this time.)		Total Acreage: 1.46 acres	
Current Zoning: B2 - General Business		Pertinent Code Section:	
Existing Use: Undeveloped		<b>Project Contact (Architect, Engineer, Planner)</b>	
<b>Current Owner of the Property</b>		Name: John Braunschweiger (Engineer - CESO Inc.)	
Name: River's Crossing Power, LLC		Address: 2800 Corporate Exchange Dr.	
Address: 4020 Kinross Lakes		City: Columbus State: OH Zip: 43231	
City: Richfield State: OH Zip: 44286		Telephone: 614-794-7080 Fax: 614-794-4492	
Telephone: Unknown Fax: N/A			
<b>Permit Applicant(s):</b> Speedway LLC			
Name: Jeffrey Wild			
Address: 500 Speedway Drive			
City: Enon		State: OH Zip: 45323	
Telephone: 937-863-6252		Fax: N/A	
<b>* Applicant's Signature:</b>			
 Jeffrey Wild, Director, Real Estate, Construction & Engineering * Applicant is responsible for payment of all fees			

APPROVED  
 AS TO FORM  
*KA*

12/23/08

**3. Other Permits of Approval Required:**

A.	Site plan approval	
B.	Signage approval	
C.		

**4. Accompanying Materials Required:** Application will not be accepted if any item A-E below is missing.

	A. Application fee.	
	B. Proof of owner's interest in property (copy of deed, purchase agreement, or title insurance).	
	C. Owner's concurrence in this application if owner does not sign below.	
	D. Submit one set of mailing labels including the name and address of property owners of parcels adjacent to or across the street from the property in question.	
	E. 8 Plot Plans. (Standards below are the minimum that must be met for submission. If variance is sought in conjunction with Site Plan Review, a site plan pursuant to Article 18 is required.)	
	<ul style="list-style-type: none"> <li>• Folded plans drawn to scale.</li> <li>• Applicant's name, address, and telephone number.</li> <li>• Scale, northpoint, and dates of submission and revision.</li> <li>• Property identification (address and sidwell) number.</li> <li>• Zoning classification of subject property and all abutting parcels.</li> <li>• Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on site and within 50 feet of the site.</li> <li>• Dimensions of all lot and property lines showing the relationship of site to abutting properties.</li> <li>• <b>For Dimensional Variances</b> - verified measurements of existing conditions and proposed dimensions or calculations regarding the specific standard from which a variance is sought.</li> <li>• Floor plans and elevations. (if applicable)</li> <li>• Name, address, and phone number of person or firm who prepared the plot plan.</li> </ul>	
	F. Three (3) copies of this application must be accompanied by narrative statements establishing and substantiating that variance conforms to the standards established in Article 5, Section 15.5.5 "Application and Standards for Variances" as shown below:	
	<ul style="list-style-type: none"> <li>• The granting of the variance shall be in accord with the general purpose and intent of the regulations imposed by these Regulations on the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.</li> <li>• The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.</li> <li>• There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which are peculiar to such land or buildings and do not apply generally to land or building in the area, and which are such that the strict application of the provisions of these Regulations would deprive the applicant of the reasonable use of such land or building. Mere loss in value shall not justify a variance; there must be deprivation of beneficial use of land.</li> <li>• There must be proof of hardship created by the strict application of these Regulations. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of these Regulations; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances need not be considered.</li> <li>• The granting of the variance is necessary for the reasonable use of the land or building, and the variances as granted is the minimum variance that will accomplish this purpose.</li> <li>• The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion upon public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values of the adjacent area.</li> <li>• The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or same district.</li> </ul>	

**5. Similar Use Application Requirements.**

The following standards shall be considered by the Board when making a determination that a use is substantially similar to a permitted or a conditional use within a specific district.	
1.	The compatibility of the proposed use with the general classification system as specified in these Regulations.
2.	The nature, predominant characteristics, and intensity of the proposed use in relation to those uses specified by these Regulations as being permitted, or in the case of a conditional use, conditionally permitted, in that district.
3.	The size, dimensional requirements, parking requirements, traffic generation potential, and other regulatory considerations normally associated with uses as specified in these Regulations.
4.	In no case shall a finding of substantially similar use be made if the proposed use is explicitly stated as a permitted use or conditional use in a zoning district other than the zoning district for which the proposed use is intended.

**6. Conditional Use Application Requirements.**

Applications for Conditional Use Permits at a minimum shall contain the following information:	
1.	A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping features, and such other information as the Board may require;
2.	A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent properties and with the comprehensive plan, to include an evaluation of the effects on adjoining properties of such elements as traffic circulation, noise, glare, odor, fumes, and vibration;
3.	A list containing the names and mailing addresses of all owners of property within five hundred (500) feet of the property in question;

**7. Schedule.**

Hearings for Variances and Conditional Uses will be scheduled within 30 days after a completed application is submitted and accepted by the Village.
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**SEE PAGE 4 OF 5 FOR FEE SCHEDULE**