

BOARD OF ZONING APPEALS
City of South Lebanon
10 N. 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)

Dimensional Variance (Article 5)	Appeal (Article 5)
Conditional Use (Article 6)	Similar Use (Article 6)
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:	

2. Property Information

Project Location and Size:					
SIDWELL No(s):			Lot Width:		
Lot & Subdivision:					
Address:			Lot Depth:		
Current Zoning:			Total Acreage:		
Existing Use:			Pertinent Code Section:		
Current Owner of the Property			Project Contact (Architect, Engineer, Planner)		
Name:			Name:		
Address:			Address:		
City:	State:	Zip:	City:	State:	Zip:
Telephone:	Fax:		Telephone:	Fax:	
Permit Applicant(s):					
Name:					
Address:					
City:		State:		Zip:	
Telephone:		Fax:			
* Applicant's Signature: _____					
* Applicant is responsible for payment of all fees					

3. Other Permits of Approval Required:

A.	
B.	
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"> Folded plans drawn to scale. Applicant's name, address, and telephone number. Scale, northpoint, and dates of submission and revision. Property identification (address and sidwell) number. Zoning classification of subject property and all abutting parcels. Existing lot lines, building lines, structures, parking areas, driveways, and other improvements on site and within 50 feet of the site. Dimensions of all lot and property lines showing the relationship of site to abutting properties. For Dimensional Variances - verified measurements of existing conditions and proposed dimensions or calculations regarding the specific standard from which a variance is sought. Floor plans and elevations. (if applicable) Name, address, and phone number of person or firm who prepared the plot plan.
	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"> 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. The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district. 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. 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. The granting of the variance is necessary for the reasonable use of the land or building, and the variances as granted are the minimum variance that will accomplish this purpose. 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. 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.

5. Similar Use Application Requirements.

The following standards shall be considered by the Board when deciding that a use is substantially like 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 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 conditional use showing the location of all buildings, parking and loading areas, streets and traffic access, 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 City.

SEE PAGE 4 OF 5 FOR FEE SCHEDULE

8. Fee Schedule (See Page 5 of 5 for Footnotes to Fee Schedule).

Article/Ord. Reference	Item	Fees ⁽³⁾⁽⁴⁾	Submittal Requirements
Article 20 Article 14	Preliminary Plats Final PUDs	\$150 + 0.25% of estimated infrastructure construction costs ⁽¹⁾	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 20	Construction Drawings	\$150 + 2.75% of estimated infrastructure construction costs ⁽¹⁾ (Include estimate with application) (1.25% due at time of submittal and 1.5% due before construction begins) ⁽²⁾	4 Copies ⁽⁵⁾ 2 Drainage Calculations 2 Detailed Spreadsheet of the Estimated Infrastructure Costs
Article 20	Final / Dedication Plats	\$350	10 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 20	Lot Split / Minor Subdivision / Replats	\$75 per lot	3 Survey Plats ⁽⁵⁾ & Legal Descriptions 1 New Deed + 1 Original Deed
Article 18	Site Plans	\$400 + \$5 per unit Multi-family \$400 + \$20 per acre Commercial/Office/Industrial/Institutional	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 17	Landscape Plans	\$150 + \$10 per acre	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper)
Article 7	Zoning District Map Change Zoning Text Change	\$400 + \$10 per acre	20 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 2 Sets of Mailing Labels
Article 5	Variances / Appeals	\$400	8 Copies + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 1 Set of Mailing Labels
Article 14	Preliminary PUD Plans	\$2,500 + \$20 per acre	12 Copies ⁽⁵⁾ + 1 Copy (Ledger Paper) 1 List of Surrounding Property Owners + 2 Sets of Mailing Labels
Article 14	Final PUD Plans	Site Plan Review Fees Apply	Site Plan Review Submittal Requirements Apply
Article 6	Conditional Use / Similar Use	\$250 + applicable site plan fee	15 Copies + 1 Copy Ledger Paper ⁽⁵⁾
Article 3	Zoning Permit	\$250 + \$0.03 per square foot of building area (City water tap and inspection fee required if utilizing City Water [proof of payment of County tap fee if utilizing County Water]; City sewer tap and inspection fee also required)	5 Copies
Article 3	Temporary Use Permit	\$50	5 Copies
Article 3	Certificate of Occupancy	\$50	3 Copies
Ord. No: 2008-14; Permit App.	Flood Hazard Area Development Permit	\$50	3 Copies of Permit Application w/ applicable submittal requirements (stated on Page 2 of 2 of Permit Application + Engineering "No Rise" Certification (if applicable))
	Special Meeting	\$500 + Application Fee, if any ⁽⁶⁾	Depends Upon Type of Application or Meeting Requested

FOOTNOTES TO FEE SCHEDULE

- (1) Infrastructure construction costs include all infrastructure costs associated with development including, but not limited to, drainage facilities, sanitary sewers, waterlines, grading, excavation, and street improvements.
- (2) Any inspection conducted outside the normal eight-hour workday of Monday through Friday, excluding holidays, 8:00 a.m. until 4:30 p.m., shall be charged at one and a half (1.5) times the standard rate. The City reserves the right to charge fees in addition to the fees specified in the table above if, due to the applicant's responsibility, excessive review and/or field inspections are necessary, and as determined by the City Engineer. Such fees for review and field inspection by City staff shall be charged at the standard rate of forty dollars (\$40) per hour, plus a three-fourths (.75) hour charge for travel time. Any review and inspection completed by consultants on behalf of the City shall be charged to the applicant at the same rate charged by the consultants. Performance and maintenance bonds will not be released until payment of all fees is received.
- (3) Any review and inspection completed by consultants on behalf of the City shall be charged to the applicant at the same rate charged by the consultants. The applicant shall pay the difference when consultant fees charged to the City are in excess of the established Fee Schedule base amounts. Final approvals will be held until all fees charged by consultants are paid in full by the applicant.
- (4) The fee for reviewing of a revised application shall be sixty (60) percent of the fee specified for the initial or first review of such application.
- (5) All plans must be folded to fit a legal sized file folder with the title showing in the lower right-hand corner.
- (6) Special meetings that require one or more of the City's consultants to attend shall require payment of the special meeting fee before the meeting is scheduled. Examples of special meetings include staff meetings and non-scheduled Planning Commission meetings requested by an applicant and/or developer.