

**MUNICIPALITY OF GERMANTOWN**

**APPLICATION FOR VARIANCE**

75 North Walnut Street

Germantown, Ohio 45327

Phone (937) 855-7255 Fax (937) 855-3215

Date: \_\_\_\_\_ Variance # \_\_\_\_\_

Applicant: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Property Address: \_\_\_\_\_ Property ID Number: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Reason for denied application: \_\_\_\_\_

Zoning Permit Number: \_\_\_\_\_

Section of Zoning Code to be varied: \_\_\_\_\_

Describe the general nature of the requested variance (use additional pages if necessary):

**Justification for Variance**

In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that all of the criteria set forth in the Zoning Code for granting a variance have been satisfied. The criteria for granting a variance are detailed in Section 1143.04(f) of the Zoning Ordinance.

**Section 1143.04(f): (Applicant must submit this information on a separate sheet)**

Narrative statements establishing and substantiating that the variance conforms to the following standards:

1. The granting of the variance shall be in accord with the general purpose and intent of the regulations imposed by this Zoning code on the district in which it is located, and shall not be injurious to the area or otherwise detrimental to the public welfare.
2. The granting of the variance will not permit the establishment of any use which is not otherwise permitted in the district.
3. 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 buildings in the area, and which are such that the strict application of the provisions of this Zoning Code 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.

4. There must be poof of hardship or practical difficulty created by the strict application of this Zoning Code. It is not sufficient proof of hardship to show that greater profit would result in 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 the restrictions; it must result from the application of this Zoning Code; it must be suffered directly by the property in questions; and evidence of variances granted under similar circumstances need not be considered.
5. 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 this purpose.
6. 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 buildings in the same district.

In addition to the above information, plans drawn to scale must accompany this application showing the dimensions and shape of lot, the size and locations of existing buildings, the locations and dimensions of the proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question. In the case of a variance for use, a description of the proposed use must also accompany the application. The applicant must submit a list of property owners' names and mailing addresses within two-hundred feet (200') of the above described property. A fee of fifty (\$50.00) must also accompany this application. The applicant may attach additional information pertaining to this application and present the case at the required public hearing for this consideration of this application. The applicant understands and certifies that the information contained in this application and its supplements is true and correct and further understands that the property owner shall be liable for substantiating the same.

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Date

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Signature of Applicant