



CITY OF DUBLIN.

USE VARIANCE

Application Requirement Checklist

Application & Supporting Materials

1 APPLICATION FEE

2 CD - ONE (1) DIGITAL COPY CONTAINING ALL APPLICATION MATERIALS REQUIRED FOR SUBMISSION.
Files must be labeled and submitted as PDFs or JPEGs, or other appropriate electronic format.

3 ORIGINAL SIGNED AND NOTARIZED BOARD OF ZONING APPEALS APPLICATION FORM - TWO (2) ORIGINAL COPIES

4 VARIANCE STATEMENT - TEN (10) COPIES INCLUDING RESPONSES TO THE FOLLOWING:

- A** Briefly explain the requested variance.
- B** Identify the development text requirement or Code Section from which the proposal is varying.
- C** Explain how the requested variance relates to the development standards applicable to the property.
- D** If the applicant has been denied a Certificate of Zoning Compliance for the property in question, explain why the request was denied.
- E** Please provide any other information that would be helpful to the Board of Zoning Appeals in making a decision.

5 LEGAL DESCRIPTION AND/OR PROPERTY SURVEY FOR EACH PARCEL INCLUDED - TEN (10) COPIES

6 LIST OF PROPERTY OWNERS AND REGISTERED HOMEOWNERS ASSOCIATIONS WITHIN 150 FEET - ONE (1) COPY THAT INCLUDES:

- A** Parcel number
- B** Owner name
- C** Complete address

7 ADDRESS EACH OF THE FOLLOWING REVIEW CRITERIA - TEN (10) COPIES

- A** Explain the exceptional or extraordinary circumstances or conditions that apply to the property involved or to its intended use that do not generally apply to other properties or uses in the vicinity or in the same zoning district.
- B** Explain how the proposed use will NOT alter the essential character of or be detrimental to adjacent properties and the surrounding neighborhood.
- C** Explain how the building, structure or land cannot be reasonably used for a use allowed in its current zoning district.
- D** Explain how the special conditions are NOT a result of the applicant's actions or inactions.

8 DENIED CERTIFICATE OF ZONING COMPLIANCE - TEN (10) COPIES IF APPLICABLE

1 SITE PLAN - Show the following:

- A North arrow and bar scale.
- B Boundaries and dimensions of the lot.
- C Sizes and locations of existing and proposed structures, accessways, walks, off-street parking and loading spaces, and landscaping.
- D Existing and proposed uses of all parts of the lot and structures.
- E Use of land and locations of structures within 100 feet of the subject property.
- F Any other information that the Board of Zoning Appeals deems necessary to make a decision on the application.

Review Criteria

153.231(H) USE VARIANCE (UNNECESSARY HARDSHIP) REVIEW CRITERIA.

- (3) Use Variances. Final approval of a use variance shall be granted by City Council, following review of the findings of the Board of Zoning Appeals. Upon application, the Board of Zoning Appeals shall only recommend to the City Council approval of a request for a use variance only in cases where there is evidence of an unnecessary hardship imposed on the property in the official record of the hearing and a finding is made that ALL of the following standards of review are met:
- (a) That there are unnecessary hardships in the way of carrying out the strict letter of these regulations which are caused by exceptional or extraordinary circumstances or conditions applying to the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the vicinity in the same zoning district;

Exceptional or extraordinary circumstances or conditions include:
 1. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this chapter;
 2. Exceptional topographic conditions;
 3. By reason of the use or development of the property immediately adjoining the property in question; or
 4. Any other physical situation on the land, building or structure deemed by the Board of Appeals to be extraordinary.
 - (b) That the proposed use will not alter the essential character of or be detrimental to adjacent property and the surrounding neighborhood;
 - (c) That the building, structure, or land cannot reasonably be used for a use allowed in the zone district in which it is located; and
 - (d) That the variance is not necessitated because of any action or inaction of the applicant.