



CITY OF KETTERING

PLANNING AND DEVELOPMENT DEPARTMENT

**CITY OF KETTERING
BOARD OF ZONING APPEALS (BZA)
3600 Shroyer Road
Kettering, OH 45429
Phone: (937) 296-2441
Fax: (937) 296-3240**

INSTRUCTIONS

For Making Application to the Board of Zoning Appeals

- I. This BZA application is to be filed with the Zoning Administrator located in the Department of Planning and Development, City of Kettering Government Center, 3600 Shroyer Road.
- II. The filing fee for a BZA application shall be as follows:
 - A. \$50 for administrative variances per C.O.1175.08I
 - B. \$75 for single-family properties;
 - C. \$150 for all other applications.

Such fees shall be paid at the time the application is filed. When existing cases are reconsidered by the Board requiring new legal advertising and notification, a \$50 fee will be charged.

- III. Attach the following information to the form:
 - A. Twelve (12) copies of the site plan drawn to scale, showing the shape, and dimensions of the lot, building and accessory building, as they are presently existing, plus the proposed addition, modifications and/or alterations. In addition to the use of the building or site indicated on the plan, include the adjacent street and neighboring lots.
 - B. Any supplemental information which would be helpful to the Board in making their decision.

Your application will be assigned a case number, and you will be advised in writing as to the date your case is scheduled for a hearing before the Board of Zoning Appeals.

Applications must be filed no later than Wednesday before the second and fourth Monday of each month, to be heard at the meeting two (2) weeks following the filing of the application.

**APPLICATION
CITY OF KETTERING
BOARD OF ZONING APPEALS
3600 Shroyer Road
Kettering, OH 45429
Phone: (937) 296-2441
Fax: (937) 296-3240**

Fee _____
Date Filed _____

I. **TYPE OF DEVELOPMENT:** _____ Residential _____ Commercial _____ Industrial
_____ Institutional _____ Other (Specify) _____

Name of Owner: _____

Address: _____

Telephone Number: _____
Home Business Fax

Agent for Owner: _____

Address: _____

Telephone Number: _____
Home Business Fax

Name of Agent for applicant/property owner: _____

Address: _____

Telephone Number: _____
Home Business Fax

Is the property owner aware of this request? _____

II. **ACTION(S) REQUESTED:** (Check all that apply)

A. () Variance on Section _____ to Permit: _____

B. () Conditional Use (Specify types of use) _____
() Modification of an existing Conditional Use
() Request for a new Conditional Use

C. () Other (Specify) _____

III. PROPERTY DESCRIPTION

Address of Property: _____

Size in Acres: _____ Current Zoning: _____

Property is situated along the _____ side of _____,
(direction) (street)
approximately _____ feet _____ of the intersection of _____.
(direction) (street)

FOR OFFICE USE ONLY		
Lettering Plat Book No. _____	Page No. _____	Index No(s). _____
Subdivision Name: _____		or Acreage _____
Lot No(s): _____		
Is this property located in the Flood Plain? Yes () No ()		

IV. ANSWER THOSE QUESTIONS WHICH APPLY TO THE ACTION(S) BEING REQUESTED. QUESTIONS MAY BE ANSWERED ON THIS FORM OR BY REFERENCING ATTACHMENTS.

A. Existing use of the Property: _____

B. Land use of Adjacent Properties:
North _____
South _____
East _____
West _____

C. For Requests for a Variance:

The grounds for a variance are established by Codified Ordinance 1175.11. Please specify the following:

1. If the variance is not granted, what hardship will be imposed on the owner, or what detrimental effect will there be on the land values of property in the neighborhood, or how will this preserve or encourage blighting influences?

2. Will the granting of the variance permit the establishment of an otherwise non-permitted use?

3. If the variance is not granted, what are the circumstances of this particular land which will deprive the owner of reasonable use of the land or building?

4. Is this the minimum variance that will accomplish the applicant's purpose?

5. Does the proposed variance impair access to light and air on the adjacent property?

6. Does the proposed variance substantially increase the congestion in the public streets, increase the danger of fire or endanger the public safety?

7. Does the proposed variance substantially diminish or impair property values of adjacent areas?

D. For Requests for a Conditional Use:

The conditions for approval of a development plan for a conditional use are established by Codified Ordinance 1175.12E. Please specify the following:

1. Is the proposed conditional use located in a district wherein such use is permitted?

2. Are all the conditions for approval of the conditional use met?

3. Is the development consistent with the comprehensive plan for the City?

4. Is the development an effective and unified treatment of the site?

5. Does the development harmonize with the existing or proposed development in the area?

6. How many off-street parking places are provided?

7. Is there a beneficial relationship between the proposed development and the neighborhood?

8. Are there adequate services and utilities available at the site?

9. Does the proposed use have a significant negative effect on, or conflict with the adjacent uses?

E. For all Requests:

1. Reason for this request: _____

2. When will this proposal be undertaken: _____

3. How will this action affect the adjoining neighborhood in which the property is located? _____

4. How will this action affect public facilities (i.e., water, sewer, storm drainage, roads, etc.)? _____

F. Additional Information:

V. **REQUIRED ATTACHMENTS AND FILING FEE MUST ACCOMPANY THE FILING OF THIS APPLICATION.**

The undersigned applicant _____ named in the foregoing application, being first duly sworn, states that all the facts are true to the best of the applicant's knowledge.

APPLICANT

TITLE

Sworn to me by the _____ and subscribed in my presence this ___ day of _____, 20___.

NOTARY PUBLIC IN AND FOR
MONTGOMERY COUNTY

APPOINTMENT OF AGENT

The undersigned, owner(s) of the real property described in the attached Exhibit "A" (the "Property"), do hereby appoint and expressly grant full authority to _____, ("Agent"), to act as the sole agent of and in behalf of the undersigned in all matters related to and in connection with the application for _____

_____ for the Property (the "Application"). The undersigned hereby consents and agrees to be bound by its Application information and by any agreement made by the herein named Agent with the City of Kettering in connection with Owner's Application.

Owner's signature

Owner's signature

Owner's printed name

Owner's printed name

Date: _____, 200__

Date: _____, 200__

State of Ohio, County of Montgomery: SS:

Sworn to before me and subscribed in my presence by the said _____ on the _____ day of _____, 200__.

Notary Public

State of Ohio, County of Montgomery: SS:

Sworn to before me and subscribed in my presence by the said _____ on the _____ day of _____, 200__.

Notary Public