

**DANBURY TOWNSHIP BOARD OF ZONING APPEALS**  
**Application for a Special Exception**

The Board of Zoning Appeals shall have the power and responsibility to decide the following special exceptions:

- a. Permit the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership at the time of passage of this Resolution.
- b. Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or the public enemy to the extent of more than seventy-five (75) percent of its fair market value where the Board finds some compelling necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use is not to continue a monopoly.
- c. Permit the modification of the automobile parking space or loading space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements; or permit (1) the waiver of the requirements that automobile parking space be provided on the same lot with a dwelling, if other suitable and convenient parking space is available within or without a building; or (2) the dual use of parking facilities (i.e. by stores during the day and theaters during the evening) provided there is no overlapping of use and the parking space requirements for each building or use are complied with during each period.

Application for a special exception shall be filed with the zoning inspector and must consist of the following:

1. Application form
2. Copy of the deed showing ownership and legal description of the property. If the applicant is not the owner of the property, the applicant must obtain power of attorney from the owner granting the applicant authority to request the special exception.
3. Plot plan showing the dimensions of the property, location of road(s), size and location of any structures on the property, setbacks to these structures, direction of north, applicant's name and address. If the special exception is being requested to allow for the construction of a structure or addition, show the location, dimensions and setbacks to the proposed structure or addition (Note: setbacks are measured to the overhang, not the foundation.)
4. A typewritten list of the names and addresses of property owners within, contiguous to, and directly across the street from the property involved. The names and addresses shall be obtained from the County Auditor's current tax  
(over)

list or the County Treasurer's mailing list. Failure to deliver all of the property owners' names and addresses will not invalidate the action taken by the Board of Zoning Appeals, but may result in revocation of the zoning permit upon request by a party who was not properly notified.

5. A typewritten statement explaining why the special exception from requirements of the zoning resolution is requested.
6. A \$200.00 filing fee. Checks should be made payable to Danbury Township.

No application will be scheduled for hearing until all of the above items have been filed with the Zoning Inspector. Hearings are held the third Wednesday of each month. Filing deadline is noon on the last Friday of the preceding month. At the time of filing, the zoning inspector will supply flags which the applicant is required to use in order to mark the property at least 10 days prior to the hearing. For this reason, **applications must be filed in person, either by the applicant or a designated representative.**