

**DANBURY TOWNSHIP BOARD OF ZONING APPEALS**  
**Application for a Use Variance**

A use variance involves the development or conversion of land for a use not permitted in the specific zoning district. The factors or standards applied to a use variance are those related to the concept of “unnecessary hardship”.

Application for a use variance 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 variance.
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 variance 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 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 describing the type of use proposed for the property.
6. A typewritten statement explaining why the variance from requirements of the zoning resolution is requested and how the applicant believes he/she meets the standards for a use variance listed in Section 901.3 (a-c) of the zoning resolution. These are the standards the Board will use in determining whether to grant a use variance. *A copy of Section 901.3 is listed on the back of this page.*
7. 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 preceeding 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.**

DANBURY TOWNSHIP ZONING RESOLUTION  
Section 901.3

A use variance must not be contrary to the public interest and the board of zoning appeals must insure that the spirit of the zoning resolution is observed. In other words, the use requested is consistent and harmonious to the existing uses. In addition, all of the following conditions must also be found to exist:

- a. The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity and were not created by the applicant.
- b. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve a convenience to the applicant.
- c. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any way impair the health, safety, convenience, or general welfare of the inhabitants of the Township.