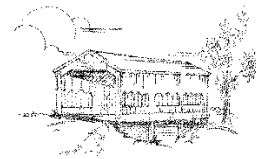


# Wayne Township, Warren County

## Application for Conditional Use



Date Received \_\_\_\_\_

\$500 Filing Fee

Case # \_\_\_\_\_

Complete this form and return with check (payable to Wayne Township) to Stacey Lowing, 6050 N. Clarksville Rd., Waynesville, OH 45068  
Phone: (513) 897-3010; Email: [staceylowing@waynetownship.us](mailto:staceylowing@waynetownship.us)

### Applicant information OWNER or AGENT (circle one)

Name	
Address	
Contact number:	

### Legal Description of the Property under consideration

Address or Parcel ID#	
Subdivision name and lot# (if applicable)	
Zoning District	
Nearest intersection	

### Proposed Use


### Complete the following sections:

<b>A</b>	<b>List additional permits or licenses required by other governmental/regulatory entities:</b>
----------	--

<b>B</b>	<b>Hours of Operation (if applicable):</b> From: _____ AM <input type="checkbox"/> PM <input type="checkbox"/> To: _____ AM <input type="checkbox"/> PM <input type="checkbox"/>  Days of Operation: S <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> TH <input type="checkbox"/> F <input type="checkbox"/> S <input type="checkbox"/> No. of Employees: _____
<b>C</b>	<b>Number of Vehicles to be used with proposed use:</b> _____  <b>Vehicle Desc.:</b> _____

Site plan (required) include the following:	
<input type="checkbox"/>	Existing <u>and</u> proposed structures in relation to property boundaries to scale
<input type="checkbox"/>	Unusual Physical Features of the Site or Building
<input type="checkbox"/>	Abutting streets
<input type="checkbox"/>	List of all adjoining and adjacent property owners (and across the street) of subject property
<input type="checkbox"/>	Photographs (when available)
<input type="checkbox"/>	Traffic Ingress and Egress
<input type="checkbox"/>	Signage
<input type="checkbox"/>	Existing parking or expanded parking
<input type="checkbox"/>	Review Section 1.304 with Zoning Inspector for additional site plan requirements
	<i>Additional requirements for secondary dwellings:</i>
<input type="checkbox"/>	Statement from the Health Department that the onsite sewage treatment system can accommodate the added use.
<input type="checkbox"/>	Statement from all other applicable utility providers that residential service can be extended to the new building while remaining under one bill

**Supplemental Questions per section 1.305.4: (attach separately)**

1. How will the use be harmonious with, and in accordance with, the purpose of the Wayne Township Zoning Code?
2. How will the use conform to the general character of the neighborhood in which it will be located?
3. Are there special conditions, if imposed, which would mitigate impacts and ensure compatibility with the existing neighborhood?
4. How will the use comply with all other applicable provisions of the Zoning Code and use specific standards?

5. **How will the use be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and *not* change the essential character of the area?**
6. **Will the use create excessive additional demands, *at public cost*, for public facilities and services and how will it not be detrimental to the economic welfare of the community?**
7. **Will the proposed use at this location be necessary or desirable in providing a service or will the facility be detrimental to the general well-being of the surrounding area?**
8. **Will the proposed use be detrimental to the health, safety, or general welfare of persons residing in or working in the vicinity, or injurious to property or improvements in the vicinity?**
9. **Are there other conditional uses associated with the property?**

### **Purpose of the Board of Zoning Appeals**

The Board of Zoning Appeals (BZA) is a five member, quazi-judicial, citizen Board appointed by the Board of Trustees. The BZA is charged with the responsibilities outlined in the ORC 519 and more specifically defined in Section 1.202.3 of the Wayne Township Zoning Code.

The BZA hears appeals of decisions of the Zoning Administrator, including permit application refusals and violation citations, as well as Conditional Use applications, Expansion of a Nonconforming use applications, and Compatible Nonconforming Use applications. The BZA may authorize, upon appeal, variances from the terms of the Zoning Resolution where unique hardships exist and when the variance will not be contrary to the public interest.

In the event that any party disagrees with a decision of the Board, they may appeal to the Court of Common Pleas of Warren County.

### **Board of Zoning Appeals Process**

A person filing a Conditional Use Application must have a legal and/or equitable interest in the property affected in the appeal or be an attorney representing the person having legal or equitable interest. The Board requires the legal owner or his counsel to be present at the public hearing.

The hearing in front of the BZA is a quasi-judicial process. All those speaking in favor of or against the applicant are sworn in. Attorneys for the appelliant or the Township may question and cross-examine those giving testimony.

**A conditional use approval is a two-step decision.** The BZA first will make a decision on the conditional use part of the application, then will make a second decision on the site plan. Conditional use approval is a prerequisite to site plan approval. Both the conditional use and the site plan may be reviewed by the BZA at the same published date and time.

**The application must be received by the Zoning Office at least 4 weeks before the next scheduled meeting date.**

**A legal notice will be prepared by this office and placed in a newspaper of general circulation in the county 10 days prior to the public hearing. Notice of the hearing is sent to all property owners within 500 feet.**

**Failure to appear at the scheduled public hearing may result in the dismissal of the application.**

**An application will not be accepted unless and until all the above requirements are met.**

**For additional information, please contact the Wayne Township Zoning Department at 513.897.3010.**

- I authorize Wayne Township (staff, appointed board, Trustees, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application.
- I certify that all the above information in this Conditional Use Application is accurate to my fullest knowledge.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Agent's Signature

If different than owner: \_\_\_\_\_ Date: \_\_\_\_\_