



BOARD OF ZONING APPEALS

Procedure for Submitting Applications

1. Fill out the application form in its entirety and sign. If you are requesting a “Use Variance,” an additional form must be completed and turned in with your Board of Zoning Appeals (BZA) application.
2. By the 15th of the month preceding the BZA meeting, submit the completed application and the following:
 - Site plan drawn to scale showing location of existing buildings and structures, new building additions or structures, and all pertinent dimensions.
 - Building or structure drawings, drawn to scale.

NOTE: The city will notify property owners within 200’ of the property that is requesting an appeal or variance.

3. A check payable to the “**CITY OF FAIRFIELD**”, cash or charge payment in the amount of twenty-five dollars (\$25.00) to cover the cost of publishing and mailing the notices of the hearing.
4. The decision of the Board shall not become effective until the expiration of five (5) days from the date of the decision unless otherwise specified by the Board.
5. No variance shall be authorized by the Board unless the Board finds beyond a reasonable doubt that all of the following facts and conditions exist:
 - That there are exceptional or extraordinary circumstances applying to the property in question or to the intended use of the property that do not generally apply to other properties or classes of uses in the same zoning district.
 - That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity
 - That the authorizing of such variance shall not be of substantial detriment to adjacent property and shall not materially impair the purposes of the Zoning Ordinance or the public interest.

Please contact our office if you have any questions regarding this process, 513-867-5318.

BOARD OF ZONING APPEALS

VARIANCE OR APPEAL APPLICATION

APPLICATION FEE \$25.00

OFFICE USE ONLY

CASE # _____

DATE _____

PLEASE PRINT

Date

Owner's Name

Street Address

City, State, Zip

(____) _____
Telephone Number

E-Mail Address

Applicant's Name

Street Address

City, State, Zip

(____) _____
Telephone Number

E-Mail Address

CHECK ONE: **VARIANCE** **APPEAL** **WAIVER**

VARIANCE

I request an **area/size** or **use** (circle one) variance to the City of Fairfield Zoning Code, Section No._____.
The reason for the variance is (state reason for undue hardship) _____

APPEAL

I am appealing the decision of the City of Fairfield Building Official made on _____.
The reason for the appeal is _____

WAIVER

I request a waiver to the City of Fairfield Zoning Code, Section No._____.
The reason for the waiver is _____

Applicant's Signature

Date

NOTE: IF THE APPLICANT IS NOT THE OWNER OF THE PROPERTY, ATTACH AN AFFIDAVIT FROM THE PROPERTY OWNER GIVING THE APPLICANT PERMISSION TO ACT ON THE OWNER'S BEHALF.

“USE” VARIANCE ATTACHMENT SHEET

TO BE COMPLETED BY APPLICANT

Please answer each fact/condition below completely.

If necessary, you may attach your answers on additional paper.

The Board of Zoning Appeals shall authorize a Use Variance only if the Board finds, beyond reasonable doubt, that all of the following facts and conditions exist:

- (1) The requested variance stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;

- (2) The hardship condition described in Section 1133.01(86)** is not created as a result of actions by the applicant;

- (3) The granting of such variance will not adversely affect the rights of adjacent property owners;

- (4) The granting of such variance will not adversely affect the public health, safety or general welfare;

(5) Such variance will be consistent with the general spirit and intent of the Zoning Code;

(6) The variance sought is the minimum which will afford relief to the applicant;

(7) There is no other economically viable use which is permitted in the zoning district;

**(86) "Variance" means a variation of the requirements of the Zoning Ordinance, granted by the Board of Zoning Appeals in specific cases when warranted, in order to alleviate unnecessary and undue hardship which may otherwise ensue owing to exceptional narrowness, shallowness or shape of a lot, to difficult topography or other peculiar physical conditions of a lot, or to the nature of existing uses or structures on adjoining lots, and so that the general spirit and intent of the Zoning Ordinance shall be observed and substantial justice done. A Variance may be a "use variance" or an "area/size variance". The Board of Zoning Appeals shall grant or deny such variances pursuant to Section [1137.08](#) herein or in accordance with Sections [1199.36](#) and [1199.37](#) for flood damage reduction regulation variances only.

(Ord. 98-10. Passed 11-8-10.)