

APPLICATION for CONDITIONAL USE PERMIT

No. \_\_\_\_\_ BZA 20\_\_\_\_\_

LIBERTY TOWNSHIP BOARD OF ZONING APPEALS

2095 Reynoldsburg Baltimore Rd. NW, Baltimore, Ohio 43105-9401

The undersigned requests a conditional use permit for the use specified below and certifies that all information provided and attached to this application is true and correct. Should this application be approved, it is understood that it shall only authorize that particular use described in this application and any conditions or safeguards required by the Board of Zoning Appeals. If this use is discontinued for a period of more than six (6) months, this permit shall automatically expire.

PROPERTY ADDRESS \_\_\_\_\_ ZONING CLASS \_\_\_\_\_

No. \_\_\_\_\_ Road or Street \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

PROPERTY OWNER \_\_\_\_\_ APPLICANT \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_ (if different \_\_\_\_\_  
from owner) \_\_\_\_\_

TELEPHONE (HOME) \_\_\_\_\_

(WORK) \_\_\_\_\_

(CELL) \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

EXISTING USE: \_\_\_\_\_

The Applicant requests the following Conditional Use in the above named zoning classification:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE \_\_\_\_\_

SIGNATURE OF APPLICANT \_\_\_\_\_

-----OFFICIAL USE ONLY-----

Date Filed: \_\_\_\_\_ Date of Public Hearing: \_\_\_\_\_

Zoning Inspector: \_\_\_\_\_ Secretary to the Board: \_\_\_\_\_

LIBERTY TOWNSHIP ZONING RESOLUTION EXCERPT (full text available at [www.fairfieldcountiohio-libertytownship.org](http://www.fairfieldcountiohio-libertytownship.org)). Please use the numbering scheme below in preparing your written responses.

7.3 PROCEDURE AND REQUIREMENTS FOR APPROVAL OF CONDITIONAL USES.

**A. Authorization**

Each District includes Conditional Uses in recognition that such Uses, although often desirable, will more intensely affect the surrounding area in which they are located than the permitted Uses of such District. The Conditional Use procedures set forth development standards and criteria for locating and developing a Conditional Use to ensure such Use will not negatively impact the surrounding area in which it is located.

**B. Application for Conditional Use**

Any Person owning property may file an application for one (1) or more Conditional Uses listed within the District in which the property is located. Eleven (11) copies of an application for a Conditional Use shall be filed with the Zoning Inspector who shall immediately forward the application to the Board of Zoning Appeals. The application for a Conditional Use shall include:

1. Name, address, and phone number of the applicant.
2. The legal description of the property where such Use will be located (as recorded in the Fairfield County Recorder's Office).
3. The proposed Use of the property.
4. A statement of the desirability and compatibility of the proposed Use to the surrounding neighborhood or community.
5. Eleven (11) copies of a site plan for the proposed development showing the location of proposed Buildings, parking, traffic circulation; Open Spaces; Landscaping; refuse and service areas; utilities; signs; architectural renderings; dimensions and Setbacks from the right-of-way and property lines of proposed Structures and such other information required by the Board of Zoning Appeals.
6. A list of all Owners within, contiguous to, and directly across the Street from the parcel(s) in question and their address as appearing on the County Auditor's current tax list.
7. Such other information regarding the property, proposed Use, or surrounding area as may be pertinent to the Board of Zoning Appeals.
8. The required fee as established in Section 4.9.

**C. Standards for Conditional Use**

1. In order for the Board of Zoning Appeals to grant approval of a Conditional Use, the proposed Use and development must meet the following general standards:
  - a. The proposed Use will be designed, constructed and operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and the Use will not change the essential character of the area in which it is to be located.

Furthermore the proposed Use is of such design, is located and proposed to be operated so that the public health, safety, and welfare will be protected.

- b. The proposed Use will be served adequately by essential public facilities and services such as highways, Streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or the Persons or agencies responsible for the establishment of the proposed Use shall be able to (demonstrate their ability to) adequately provide any such services.
  - c. The location and size of the Conditional Use, the nature and intensity of the operation involved or conducted in connection with the proposed Use; the size of the site in relationship to the proposed Use; and the location of the site with respect to Streets giving access to the proposed Use, shall be such that it will be in harmony with the appropriate and orderly development of the District in which it is located.
  - d. The location, nature, and height of Buildings, Structures, walls, fences, and other similar features on the site and the nature and extent of Landscaping and screening on the site shall be such that the Use will not unreasonably hinder or discourage the appropriate development, Use, and enjoyment of adjacent land, Buildings or Structures.
  - e. The proposed Use will not involve activities, processes, materials, equipment and conditions of operation that will be detrimental to any Persons, property or the general welfare by reason of production of traffic, noise, smoke, dust, lights, vibration, fumes or odors.
  - f. The Use will not result in the destruction, loss or damage of natural, scenic or historic features of major importance.
  - g. The proposed Use is in accordance with the general objectives and purposes of this Zoning Resolution.
2. In addition to the general standards listed above in Section 7.3(C)(1), additional conditions that are specific to a particular listed Conditional Use may also apply to ensure such Use is compatible with its surrounding areas. Such conditions are listed in Article XI. The Board of Zoning Appeals shall not grant approval of a Conditional Use unless it finds that the proposed Use complies with both the general standards in Section 7.3(C)(1) and the applicable conditions in Article XI.

**D. Supplementary Conditions and Safeguards**

In granting any Conditional Use, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards as it deems necessary to address each of the following factors to ensure that the Use will be conducted in the best interest of the District:

1. Traffic.
2. Parking.
3. Noise.

4. Smoke, fumes, and/or odors.
5. Dust.
6. External lighting not offensive to the neighborhood.
7. Vibration.
9. The preservation of natural, scenic or historic features of any major importance.
10. Utilities.

Violations of such conditions and safeguards, when made a part of the terms under which the Conditional Use is granted, shall be deemed a violation of this Zoning Resolution punishable under Section 4.8(D) of this Zoning Resolution.

**E. Public Hearing by the Board of Zoning Appeals**

The Board of Zoning Appeals shall hold a public hearing within sixty (60) days from the date the application required in Section 7.3(B) was submitted to the Zoning Inspector.

**F. Notice of Public Hearing in Newspaper**

Before holding the public hearing required in Section 7.3(E), notice of such hearings shall be given in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed Conditional Use.

**G. Notices to Parties of Interest**

Before holding the public hearing required in Section 7.3(E), written notice of such hearing shall be mailed by the secretary of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties of interest. The notice shall contain the same information as required of notices published in newspapers as specified in Section 7.3(F). Parties of interest shall include, Owners of property contiguous to and directly across the Street from the property being considered.

**H. Action by the Board of Zoning Appeals**

Within thirty (30) days after the public hearing required in Section 7.3(E), the Board of Zoning Appeals shall approve, approve with supplementary conditions as specified in Section 7.3(D), or disapprove the application as presented. If the application is approved or approved with modifications, the Board of Zoning Appeals shall direct the Zoning Inspector to issue a conditional Zoning Permit listing the specific conditions specified by the Board of Zoning Appeals for approval. If the application is disapproved by the Board of Zoning Appeals, the applicant has all rights of appeal as set forth in any applicable section of the Ohio Revised Code.

**I. Expiration of Conditional Use Permit**

A Conditional Use permit shall be deemed to authorize only one particular Conditional Use and said permit shall automatically expire, if for any reason, the Conditional Use shall cease for more than six (6) months.