

WHAT IS A CONDITIONAL USE?

Conditional uses are covered in full in the Bath Township Zoning Resolution, Article 10, Section 1004.

A Conditional Use is defined in Article 2 as “A use that may have an impact within a Zoning District and requires a hearing and approval by the Bath Township Board of Zoning Appeals prior to the use being allowed. Such uses will comply with all conditions and standards for the location or operations of the use as specified by this Zoning Resolution, and all specific conditions dictated by the Board of Zoning Appeals.”



About the Board of Zoning Appeals

This board meets as necessary to hear and decide on requests of Conditional Use, Variances, and Appeals.

BZA meetings are open to the public.

All members of the BZA board must reside in the unincorporated area of the township.

Current BZA Members:

Ms. Karen Hawk

Mr. Jim Heider

Mr. Ken Schroeder

Ms. Clarinda Smith

Mr. Michael Uecker

Mr. Mark Luzader, Alternate

Township Office Hours:
Monday-Friday
12:00-4:00pm

Citizen's Guide To Conditional Use Requests

Bath Township Zoning Department

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zoning@bathtwp.us

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countyohio.us](http://www.bathtownshipgreene
countyohio.us)



APPLYING FOR A CONDITIONAL USE PERMIT

To apply for a conditional use, fill out the **Conditional Use Form** in its entirety. All forms are available on the Bath Township Zoning Website, and can also be picked up at the Township Office.

These forms can be filled out by the property owner, tenant, business manager, or contractor.

Mail or drop off the completed form to the Township Offices and include all required drawings, measurements, and additional information requested on the form. Include a CHECK, made payable to BATH TOWNSHIP, for \$300.



NEXT STEPS:

Public Hearing:

After receiving your application, The Zoning Administrator will notify the Board of Zoning Appeals (BZA) and set a Public Hearing date. Notice of the meeting will be sent to all parties of interest, and will be published in the newspaper, in accordance with the Bath Township Zoning Resolution and Ohio Revised Code.

The applicant will have the opportunity to present their request at this meeting, as well as any other parties who wish to speak on the matter. The BZA will then make a decision.

Issuance of Permit or Certificate:

If the Conditional Use is granted, the Zoning Administrator will issue a Conditional Use Permit, for an additional \$50 fee. A Conditional Use Permit is not transferable with the property. Any change in ownership or type of use requires a new permit.



WHAT IF MY REQUEST IS DENIED?

If the Conditional Use Request is *denied*, the applicant may petition the Court of Common Pleas within 30 days of the decision. Additional options include seeking rezoning, or you may need to revise and re-submit plans. Additional fees may apply.



HOW DOES THE BZA MAKE THEIR DECISION?

In considering Conditional Use cases, the BZA considers the following:

- The nature, scale, intensity, and condition of the operations and of all adjacent uses and structures.
- Location, height, size, nature, and extent of walls, structures, fences and landscaping.
- The location and size of the proposed use, the site layout.
- Vehicular and pedestrian traffic.
- Is it harmonious with surrounding uses and the general character and intensity of the area's development

They may also impose additional requirements and conditions as necessary for the protection of adjacent properties and the public health, safety and general welfare. These conditions include specific limitations as to future expansion.

More restrictions and considerations are included in the Bath Township Zoning Resolution, article 10, sections 1004.1, 1004.2, 1004.3 and 1004.4