



## APPLICATION FOR APPEAL TO THE CITY OF ALLEGAN ZONING BOARD OF APPEALS

### 1805.10 STANDARDS FOR VARIANCES

- A. Subject to the requirements in subsection B below, and in addition to other duties and powers specified within this Ordinance, the ZBA, after public hearing, shall have the power to decide applications for variances:
1. Where it is alleged that by reason of the exceptional narrowness, shallowness, or shape of a specific parcel of property or by reason of exceptional topographic conditions or other extraordinary situation of the land or structure or of the use of the property immediately adjoining the property in question, the literal enforcement of this Ordinance would involve practical difficulties or would cause undue hardship, provided that the ZBA shall not grant a variance on a lot if the owner or members of his family own adjacent land which could, without undue hardship, be included as part of the lot.
  2. Where it is alleged that there is unnecessary hardship in carrying out the strict letter of this Ordinance and a request made to vary such regulations so that the spirit of this Ordinance shall be observed, public safety secured, and substantial justice done.
  3. Where it is alleged that the condition of the specific property or the intended use of said property is not of so general or recurrent a nature as to make reasonably practical a general regulation as part of this Zoning Ordinance.
- B. No variance in the provisions or requirements of this Ordinance shall be effected by the ZBA unless it finds from reasonable evidence that such variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or of the public health, safety and welfare, and, further, that two of the following facts and conditions exist:
1. That there are exceptional or extraordinary circumstances of conditions applying to the specific property that do not apply generally to other properties in the same zone.
  2. That such variance is necessary for the preservation and the enjoyment of a substantial property right similar to that possessed by other properties in the zone, provided that increased financial return shall not be deemed sufficient to warrant a variance.
  3. That the condition or situation of the specific property or the intended use is not so general or recurrent a nature as to make reasonably practical a general regulation as part of this Zoning Ordinance.

Please provide all information requested by typing or printing in ink. Answers should be clear and concise. If additional space is needed, number and attach additional pages. An application will not be accepted unless accompanied by proper fee. All information provided herein becomes public record upon submittal. All required information must be submitted at least 30 days prior to the meeting at which the application is to be considered.

**1. Applicant Information**

\_\_\_\_\_ Mailing Address  
 Applicant Name \_\_\_\_\_

\_\_\_\_\_ Email Address or Alternate Phone Number  
 Best Daytime Phone Number \_\_\_\_\_

\_\_\_\_\_ Please list all Owners or Interested Parties in the property

**2. Property Information**

Permanent parcel number of property affected by this appeal 03-51- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Please list all, if any, deed restrictions upon this property: \_\_\_\_\_  
 \_\_\_\_\_

Lot size total area in acres or square feet: \_\_\_\_\_

Present use of property: \_\_\_\_\_

Present Zoning Classification of Property: \_\_\_\_\_ Is this property within a Historical District? \_\_\_\_\_

Detailed request and justification for Variance: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**\_\_\_\_\_ Please check here to indicate you have attached a survey or sketch of the property including all buildings, structures, distances to lot lines, and the uses and nearby structures on all surrounding properties. This sketch does not have to be to scale but does need to have accurate measurements noted upon it.**

**3. Detailed Request and Justification:**

A. Please indicate below the requirements for which a variance is being requested:

_____ <b>Setbacks</b>	_____ <b>Signs</b>	_____ <b>Lot Coverage</b>	_____ <b>Loading Space</b>
_____ Front	_____ Size	_____ Wall/Fence	_____ Height
_____ Side	_____ Height	_____ Area requirements	_____ Off-street parking
_____ Rear	_____ Setback	_____ <b>Other (please specify)</b> _____	

B.

Please indicate the characteristics of your property which require the granting of a variance for your intended project:

\_\_\_\_ Too Narrow      \_\_\_\_ Elevation      \_\_\_\_ Soil Issues  
\_\_\_\_ Too Small      \_\_\_\_ Slope      \_\_\_\_ Sub-surface Issues  
\_\_\_\_ Too Shallow      \_\_\_\_ Irregular Shape      \_\_\_\_ Other (please specify): \_\_\_\_\_

\_\_\_\_\_

C. Justification for granting the requested variance:

Please initial here to indicate that you believe your variance request is allowable based on the conditions of the concerned parcel as set forth within the Ordinance as presented on Page 1 of this application. \_\_\_\_

Please initial here to indicate that you believe no potential negative impacts upon the surrounding areas would be caused by your request. \_\_\_\_\_

4. **Affidavit**

*The undersigned acknowledges the request is granted or other conditions favorable to the undersigned are rendered upon this appeal, the said decision does not relieve the applicant from compliance with all other provisions of this Ordinance; the undersigned further affirms that he/she/they are the (Please specify: Owner, Lessee, or other type of interested party) \_\_\_\_\_ involved in the appeal and that the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his, her, or their knowledge and belief.*

\_\_\_\_\_  
Applicant(s) Signature

\_\_\_\_\_  
Date

The signature of applicant herein allows board of appeals members to enter onto property to view the applicants(s) requests.

\_\_\_\_\_  
Applicant(s) Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

**FOR OFFICE USE ONLY**

Date Application Received: \_\_\_\_\_

Check Number: \_\_\_\_\_

Date Notice Sent: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

Date Action Taken: \_\_\_\_\_

Action Taken: \_\_\_\_\_