



GRAND HAVEN CHARTER TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION

Application Type	Fee	Escrow*
Variance or Appeal	\$400	\$300
603 Exemption	\$250	\$300

Application Type	Fee	Escrow*
Special Meeting	\$500	n/a
Interpretation	\$300	n/a

The full zoning ordinance can be found at www.gh.org/zoning.

* To cover cost of legal and consulting fees, may be increased as necessary

Applicant/Appellant Information

Name _____
 Phone _____
 Address _____
 Email Address _____

Owner Information (If different from applicant/appellant)

Name _____
 Phone _____ Email _____
 Address _____
 Email Address _____

Property Information (Include a survey or scaled drawing)

Address _____
 Parcel No. 70 - - - - Current Zoning _____
 Lot Width _____ Lot Depth _____
 Parcel Size _____ Parcel Size _____

General Information (Check one)

- () Application for Variance
- () Request for Interpretation
- () Notice of Appeal

NOTE: Please provide a scaled drawing with details of your proposed work including the dimensions of any structures (i.e. height, width & length), building materials, the setbacks to ALL property lines, and other existing structures on the parcel, and any other relevant information, as needed.

VARIANCE REQUESTED (If applicable)

1. Attach a Narrative: Description of Request; Why it is needed; and Addresses each of the 4 Standards
2. Variance Requested From the Requirements of Section Number(s) _____
3. Relating to _____
4. Structure/Land Use (After Variance) _____
5. Overall Building Size (After Variance) _____
6. Setbacks from lot lines (After Variance):
 - a. Front Yard _____ feet
 - b. Rear Yard _____ feet
 - c. Side Yard #1 _____ feet
 - d. Side Yard #2 _____ feet

RELEASE FORM

The undersigned has applied to the Grand Haven Charter Township Zoning Board of Appeals for a variance. The undersigned hereby authorizes the members of the Zoning Board of Appeals and appropriate Township staff members to inspect the property (*address stated below*) at reasonable times, in regards to the consideration of my request for a variance.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Applicant's Signature

Date

Owner's Signature (if different from applicant)

Date

Property Address

For Office Use Only

Date Received _____

Fee Paid? _____

ACTION TAKEN BY TOWNSHIP BOARD OF APPEALS

() Application Approved

() Application Denied

Description of variance granted or other action taken including conditions imposed, if any:

Grounds for Board action including findings as to standards and requirements prerequisite to imposition of conditions under ordinance:

Signature of ZBA Chairperson

Date



- (D) Pursuant to [Section 19.02.A](#) of this Ordinance, the Township Zoning Board of Appeals shall not have jurisdiction to reverse decisions involving Special Land Use or Planned Unit Development.

Section 19.03

RULES OF PROCEDURE.

The Zoning Board of Appeals may fix rules and regulations governing its procedures as the Board deems necessary, provided they are in compliance with the Michigan Zoning Enabling Act and this Ordinance.

Section 19.04

MAJORITY VOTE.

The concurring vote of a majority of the membership of the Township Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the appellant or applicant on any matters appealed or presented.

Section 19.05

VARIANCES.

- (A) **Dimensional Variance.** Except as otherwise provided, to authorize a non-use or dimensional variances from the strict applications of the provisions of this Ordinance, the Zoning Board of Appeals shall apply the following standards and shall make an affirmative finding as to each of the matters set forth in each of such standards:
- (1) That there are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning classification: Exceptional or extraordinary circumstances or conditions include:
 - (a) Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance, or amendment thereto;
 - (b) Exceptional topographic conditions;
 - (c) Any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; or
 - (d) By reason of the use or development of the property immediately adjoining the property in question
 - (2) That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that possible increased financial return shall not of itself, be deemed sufficient to warrant a variance.



- (3) That authorization of such variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.
 - (4) That the condition or situation of the specific piece of property or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such condition or situation, a part of this Ordinance.
- (B) Use Variance.** A use variance may be allowed only in cases where two-thirds of the members of the Board of Appeals approve the use variance after finding there is reasonable evidence of unnecessary hardship in the official record of the hearing and that all of the following conditions are met.
- (1) The building, structure, or land cannot yield a reasonable return if required to be used for a use allowed in the zoning district in which it is located.
 - (2) There are unnecessary hardships in the way of carrying out the strict letter of these regulations which are caused by exceptional or extraordinary circumstances or conditions applying to the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the vicinity in the same zoning district. Exceptional or extraordinary circumstances or conditions include:
 - (a) Exceptional narrowness, shallowness or shape of a specific property on the effective date of the applicable provision(s) of this Ordinance;
 - (b) Exceptional topographic conditions;
 - (c) Any other physical situation on the land, building or structure deemed by the Board of Appeals to be extraordinary; or
 - (d) The use or development of the property immediately adjoining the property in question
 - (3) The proposed use will not alter the essential character of the neighborhood.
 - (4) The variance is not necessitated as a result of any action or inaction of the applicant.
 - (5) Prior to the Board of Appeals granting a request for a use variance, the Board of Appeals shall request that the Planning Commission consider the request and forward a report to the Board of Appeals as to whether or not the property may be reasonably used for a use permitted under the existing zoning classification (i.e., without a use variance), and whether or not the request may alter the essential character of the neighborhood if granted. For this report the Planning Commission shall consider the Master Plan, the ability of the property owner to use the property for a use already permitted under the existing zoning classification, the effect of the request on the essential character of the neighborhood, and any other detrimental effects for the neighborhood which would result from the granting of the request.
 - (6) In some instances, the Zoning Board of Appeals may be asked to consider a variance for a proposal which will subsequently require approval by the Planning Commission (e.g. site plan review, special land use review, Planned Unit Development review, etc.). Prior to the Zoning Board of Appeals granting a request for such a variance, the Zoning Board of Appeals may request that the Planning Commission consider the request and forward a report to the Zoning Board of Appeals. This report should list any specific concern(s) that the Planning Commission may have with the implications of the requested variance on the Planning Commission's decision to grant approval on the subsequent request.