

APPLICATION FOR APPEAL TO THE ALLENDALE CHARTER TOWNSHIP
BOARD OF APPEALS

For Office Use Only	
Case#	_____
Date Rec'd.	_____
Fee	_____
Date Fee Rec'd.	_____

The Zoning Board of Appeals shall have the power to authorize, upon appeal in specific cases, such variances from the provisions or requirements of this ordinance as will not be contrary to the public interest, but only in such cases where the Zoning Board of Appeals finds beyond a reasonable doubt that owing to special conditions pertaining to specific piece of property, the literal enforcement of the provisions or requirements of this ordinance would cause practical difficulty and **where it finds that all of the following facts and conditions exist:**

- A. That compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
- B. That the granting of the variance applied for would do substantial justice to the applicant, as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
- C. That the plight of the landowner is due to the unique circumstances of the property.
- D. That the problem is not self-created, nor created by the applicant's predecessor in interest.
- E. That granting the variance will insure that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

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 15 days prior to the meeting at which the application is to be considered.

1. Applicant Information

_____	_____	_____
Applicant's Name	Address	Zip
	_____	_____
	Telephone (home)	Cell
_____	_____	_____
Owners(s) of property if different than Applicants	Address	Zip
	_____	_____
	Telephone (home)	Cell

2. Property Information

Legal description and survey of property affected by this appeal (including alls structures existing and/or proposed) _____

List all deed restrictions (attach additional pages if needed) _____

Lot size in area or square feet _____

Present use of property is _____

Present zoning classification of the property _____

Present use and location of any structures on abutting properties _____

Present zoning of abutting properties _____

3. Detailed request and Justification (complete only those sections pertaining to you appeal)

Variance/modification of the requirements of the Zoning Ordinance.

The applicant respectfully requests the Board of Appeals grant a variance on the above described property.

a. Indicated below are the zoning requirement(s) which are the subject of the variance request.

<input type="checkbox"/> setback	<input type="checkbox"/> signs	<input type="checkbox"/> lot coverage	<input type="checkbox"/> loading space
<input type="checkbox"/> front	<input type="checkbox"/> size	<input type="checkbox"/> obscuring wall/fence	<input type="checkbox"/> height
<input type="checkbox"/> side	<input type="checkbox"/> height	<input type="checkbox"/> area requirements	<input type="checkbox"/> off-street parking
<input type="checkbox"/> rear	<input type="checkbox"/> setback	<input type="checkbox"/> other (please specify)	

b. State exactly what is intended to be done on, or with the property which necessitates a variance/modification of the Zoning Ordinance. _____

c. Describe the characteristics of your property which require the granting of a variance/modification (include dimensional information)

<input type="checkbox"/> too narrow	<input type="checkbox"/> elevation	<input type="checkbox"/> soil
<input type="checkbox"/> too small	<input type="checkbox"/> slope	<input type="checkbox"/> subsurface
<input type="checkbox"/> too shallow	<input type="checkbox"/> shape	<input type="checkbox"/> other (specify) _____

d. Justification for granting the requested variance/modification. The applicant must show that strict application of the provisions of the Zoning Ordinance to the property would result in practical difficulties of unnecessary hardships inconsistent with the general purpose and intent of the ordinance. In order for the Board of Appeals to determine whether unnecessary hardship exists, the applicant should provide answers to each of the following questions:

*Can the property in question be used in a manner permitted by the Zoning Ordinance if a variance/modification is not granted?

Yes No

If not, what unnecessary hardship will result if the variance/modification is not made?

*To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance or applicable part thereof became law?

_____Yes _____No

If no, explain why the hardship should not be regarded as self-imposed (self-imposed hardships are not entitled to variances) _____

*Will strict application of the terms of the ordinance deny use of the property for any purpose to which it is reasonably adapted?

_____Yes _____No

If "yes", how? _____

*Is the requested variance/modification due to unique circumstances present on your property?

_____Yes _____No

If "yes" explain the unique conditions _____

*Would granting the variance/modification be contrary to the adopted Land Use Plan?

_____Yes _____No

Explain _____

*Would granting the variance/modification insure that the spirit of the ordinance is observed, public safety secured, and substantial justice done?

_____Yes _____No

Explain _____

*Other comments in support of application _____

*Other comments in support of application _____

*Would granting the variance/modification, if effect, be rezoning of this property to allow a use that otherwise is not permitted in this zone district?

_____Yes _____No

Explain _____

4. Impact on Surrounding Lands

a. What are likely to be the positive impacts of this variance on the appellants land? _____

b. What are likely to be the negative impacts of this variance on the appellants land? _____

c. How do you propose to minimize any potential negative impacts which your proposed variance may cause? _____

5. Affidavit

The undersigned acknowledges that the request is granted or other decisions favorable to the undersigned are rendered upon this appeal, the said decision does not relieve the applicant from

compliance with all other provisions of the ordinance; the undersigned further affirms that he/she or they is (are) the _____ (specify: owner, lessee, or other type of interest such as authorized agent for the owner) 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) request.

Applicant(s) Signature

FOR OFFICE USE ONLY

Date Notices Sent

Date of Hearing

Date Action Taken

Action Taken

