

WRIGHT TOWNSHIP

Ottawa County

1565 Jackson Street, P.O. Box 255, Marne, MI 49435

www.wrighttownship.com

VARIANCE REQUEST

Instructions

For an application to be considered complete, ALL information must be provided. If an item is not applicable to your petition, please mark that item N/A for “not applicable” and provide an explanation why it is not applicable.

- **Review Body:** Zoning Board of Appeals
- **Meeting Frequency:** As needed.
- **Application Deadline:** Zoning Board of Appeals will meet as needed. Appeals will be scheduled a minimum of 30 days from the receipt of the application by the Township Clerk.
- **Township Office Review:** Following review by township personnel, if any required materials are deemed missing the applicant will be notified and must provide said material, which must result in a complete application prior to the required publication deadline for said meeting for consideration.

**DO NOT DISCARD THIS PAGE
YOU MUST SUBMIT THIS PAGE WITH YOUR APPLICATION**

For Office Use Only

Appeal # _____

Date(s) Advertised _____

Parcel # _____

Date of Meeting _____

Fees Paid _____

Action Taken _____

Escrow _____

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ZONING BOARD OF APPEALS

GENERAL INFORMATION:

The Zoning Board of Appeals (ZBA) consists of three residents of the Township who are appointed by the Township Board of Trustees. The ZBA is empowered by the Zoning Ordinance and state statute to grant variances to the requirements of the Zoning Ordinance *upon findings of certain facts and/or conditions that exist*. The ZBA is also empowered to make other decisions assigned to it by the Zoning Ordinance, upon certain findings and subject to specific requirements.

The Zoning Ordinance provides for three areas of Appeal:

1. A use or area (dimensional) variance;
2. An appeal of an Administrative decision; and
3. An interpretation of the Zoning Map or Zoning Ordinance text.

The ZBA cannot change the Zoning Ordinance text or the Zoning Map; this can only be performed by the Board of Trustees.

An area (dimensional) variance may be granted upon a showing of “practical difficulty,” generally created by a dimensional requirement in the Zoning Ordinance. The practical difficulty must apply to the property, not to the applicant. If granted, the variance is a license to violate a specific provision of the Zoning Ordinance. Area variances typically involve setbacks, height limitations, square footage requirements, bulk, lot area and other numerical standards in the Zoning Ordinance.

A use variance may be granted upon a showing of “unnecessary hardship,” which again must apply to the property and not the applicant. If granted, the variance is a license to use the property in a way not allowed by the Zoning Ordinance.

Section 1600.11 of the Zoning Ordinance establishes facts and conditions which apply to all variance requests. Section 1600.11 provides that neither an area variance, nor a use variance may be granted unless all of the following facts and conditions are met:

SECTION 1600.11 VARIANCES.

No variances in the provision or requirements of this Ordinance shall be authorized by the Board unless the Board makes findings, based upon competent material and substantial evidence on the whole record, that all of the following facts and conditions exist:

- (1) Special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district and which conditions or circumstances will cause unnecessary hardship and practical difficulties if the Zoning Ordinance is enforced upon the land, structure, or use.
- (2) Literal interpretation of the provisions of this Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
- (3) Special conditions or circumstances do not result from the actions of the applicant.
- (4) With respect to use variances, the property cannot reasonably be used in a manner consistent with existing zoning.

Nonconforming use of neighboring lands, structures, or buildings shall not in itself be considered grounds for the issuance of a variance.

NOTE: The applicant or a representative is recommended to be present at the public hearing. The applicant will be notified of the date and time.

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ZONING BOARD OF APPEALS APPLICATION

APPLICATION FEE: \$400.00 & ESCROW FEE: \$300.00*

(*Applicant is responsible for additional engineering, attorney, planning consultant fees, etcetera. The unused balance will be refunded to the applicant. Any amount over the escrow fee will be billed to the applicant.)

Name of Applicant: _____

Address of Applicant: _____

Telephone: _____ Fax: _____

Email: _____ Acreage of Subject Property: _____

Address of Subject Property: _____

Parcel Number**: 70-06-_____-_____-_____- Zoning District _____

**Attach legal description of property

List the name, address, phone number and interest of every person who has a legal or an equitable interest in any property included in this application.

VARIANCE REQUEST

What is the nature of the variance requested? _____

Section(s) of the Wright Township Zoning Ordinance from which relief is sought: _____

JUSTIFICATION OF APPEAL

Describe how your appeal meets the Facts and Conditions of Section 1600.11 of the Wright Township Zoning Ordinance below:

Fact/Condition #1 _____

Fact/Condition #2 _____

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Fact/Condition #3 _____

Fact/Condition #4 (Use variances only) _____

NOTE: The applicant must attach a site plan showing:

- dimensions of the property
- setbacks to front, rear and side lot lines
- location and dimensions of all existing buildings and structures
- location of well and septic
- any proposed buildings or structures
- location of any driveways or easements
- location of any floodplain, wetland or waterways
- area of the property where the variance is being sought
- any other information as may be required

*By signing this application I acknowledge that I am the legal owner, petitioner or agent and that I have the authority to apply for the request. In addition, I agree to authorize members of the Zoning Board of Appeals and representatives from the Zoning or Building Department or any other necessary township official to enter my property in order to review the particulars of my request. If requested to do so, I will place stakes to indicate boundaries, building locations, etc. Further, by signing this application I have read the application materials in their entirety and understand that if a variance is granted, the necessary building permits shall be obtained and any authorized action shall be begun within six (6) months after the date of the variance and shall be completed within one (1) year of said date.

*Signature of Applicant

Date

*Signature of Owner

Date