

# Allendale

## CHARTER TOWNSHIP

*"Where community is more than just a concept!"*

### Zoning Board of Appeals

### Variance Application

Submission Date: \_\_\_\_\_

Property Owner:			
Mailing Address:			
Phone Number:		Cell Phone:	
Email Address:		Fax:	
Owner's Signature:			

Applicant Name: (if not owner)			
Mailing Address:			
Phone Number:		Cell Phone:	
Email Address:		Fax:	
Applicant's Signature:			

Who is the responsible party for future invoices? Check one:

<input type="checkbox"/>	Property Owner	<input type="checkbox"/>	Applicant
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#### **1. Property Information:**

Address of Property:					
Permanent Parcel Number:	-	-	-	-	
Legal Description of Property (or attach to the application):					
Lot Area:		Lot Depth:		Lot Width:	
Current Zoning of Parcel:		Current Use of Parcel:			

List all deed restrictions:	

- Please include a site plan that includes:
  - a. Boundaries of property and location within the Township.
  - b. Any proposed structures with setbacks from the property lines.
  - c. Present zoning of the property and abutting properties.
  - d. Location of existing structures on abutting properties.

**2. Detailed Request** – If, for any question, additional space is needed, please attach additional pages.

Please check one of the boxes below to indicate the type of request you are applying for:

<input type="checkbox"/> Dimensional Variance	<input type="checkbox"/> Appeal of Administrative Interpretation
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Detailed request:	

Please mark below the 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"/> Area Requirements	<input type="checkbox"/> Off-Street Parking	<input type="checkbox"/> Rear
<input type="checkbox"/> Other (Please Specify):			

Please mark below the characteristic(s) of your property which necessitate the granting of your request.

<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 (Please Specify):

**3. Justification**

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. For the Board of Appeals to determine whether unnecessary hardship exists, the applicant should provide answers to each of the following questions:

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

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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If not, what unnecessary hardship will result?	

- b. 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? (self-imposed hardships are not entitled to variances)

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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If no, please explain:	

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

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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If yes, please explain:	

- d. Is the requested variance/modification due to unique circumstances present on your property?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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If yes, please explain the unique conditions:	

- e. Would granting the variance/modification be contrary to the adopted Master Plan?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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If yes, please explain:	

- f. Would granting the variance/modification ensure that the spirit of the ordinance is observed, public safety secured, and substantial justice done?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Please explain:	

- g. Would granting the variance/modification, in effect, be rezoning this property to allow a use that otherwise is not permitted in this zoning district?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Please explain:	

**4. Impact on Surrounding Properties**

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

Please explain:	

**5. Affidavit**

I acknowledge that if the request is granted or other decisions favorable to me are rendered upon this appeal, this decision does not relieve me from compliance with all other provisions of the ordinance.

I also certify that the information provided is correct to the best of my knowledge and hereby appeal to the Zoning Board of Appeals.

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Applicant Signature

Date

- Please include 5 sets of the submittal and 1 electronic copy for staff review along with your application and escrow fee. (When ready for submission to the Zoning Board of Appeals, smaller than typical plans are allowed when they can be easily interpreted and are to scale.)
- Please see Resolution 2011-2 for our full escrow fee policy. If you would like a copy of this policy, it is available online or by request at the Township office.
- If your escrow is not kept up to date, according to our policy, the Township reserves the right to withhold approval of your project, issue a stop work order, or withhold final occupancy until the escrow balance is made current.

For Office Use Only

Date Received:			
Amount Paid:		Check No:	

## Allendale Charter Township Zoning Ordinance

### Sec. 28.04 VARIANCES; POWERS AND STANDARDS.

The Board of Appeals shall have the power to hear and decide in accordance with the provisions of this ordinance any request for interpretation of the Zoning Ordinance, requests for variances, and decide any special questions on which the Board is authorized to pass. The Board 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 Board finds beyond a reasonable doubt that owing to special conditions pertaining to a 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 the 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.