

APPLICANT’S CHECKLIST FOR SUBMITTAL
ZONING BOARD OF APPEALS HEARING

- _____ 1. Review the Variance Request and Appeals Guidelines attached to the application to understand the review process. This is also described in Article 10 of the Zoning Ordinance.

- _____ 2. For a variance request, review and understand Section 1004, Variances the Board of Appeals will make a determination based upon these basic conditions.

- _____ 3. For a variance, complete the “Variance Requested”, “Unique/Physical Characteristics” and “Summary” section on the second page of the application or attach a brief description as to why a variance should be granted.

- _____ 4. For an appeal, interpretation or classification, complete the “Appeal, Interpretation, or Classification” and “Summary” section on the second page of the application or attach a brief description of the reason for the request.

- _____ 5. Complete the application form and read the “Attest” before signing. A representative may sign in place of the owner if authorized to do so.

- _____ 6. **Prepare a packet** to accompany the application form which will aid in your request for a variance. The packet may include: site plans, topography maps, photographs, documents, letters, etc.

The application, fee, and packets must be submitted to the City of Laingsburg to be accepted as a complete application by the Zoning Administrator.

Withdrawals of an application request that has been processed by the City for a public hearing are ineligible for a refund.

VARIANCE REQUEST and APPEAL GUIDELINES

Variance requests and appeals are expensive and time consuming to the applicant, staff, and Zoning Board of Appeals (“ZBA”). Therefore, an application that has been processed for a public hearing is **not eligible for a refund**. In the interest of all involved; **the applicant is required to follow this procedure:**

1. Understand that a variance is requesting permission to vary from the requirements of the Ordinance by the proof of practical difficulty or unnecessary hardship.
2. Comprehend that the ZBA meets and holds a public hearing only once a month as requested.
3. Understand the deadline for acceptance of an application.
4. Provide clear, concise documents supporting the need for a variance.
5. Review the duties of the ZBA as outlined below.

Summary of Board Action as outlined in the City of Laingsburg Zoning Ordinance:

Section 1001 Jurisdiction: The Board of Appeals is comprised of five (5) appointed citizens who are trained and shall have the duty to rule on those matters provided in this Ordinance for appeal, interpretation, or variance.

Interpretation: The Board of Appeals has the power to interpret the provisions of the Ordinance, determine boundary lines between zoning districts, and classify a use which is not specifically mentioned in the use regulations of any district according to the standards as outlined in Section 1002.

Appeal: The Board of Appeals shall hear and decide appeals from and review an order, requirement, decision, or determination made by an administrative official or body charged with the enforcement of this Ordinance according to the standards as outlined in Section 1003.

Variations: The Board of Appeals may authorize specific variances from requirements of the Ordinance, with the exception of a use variance, provided that the basic conditions listed herein are substantially and satisfactorily satisfied.

- A. Practical difficulties or unnecessary hardships prevent carrying out the strict letter of this Ordinance. These practical difficulties or unnecessary hardships shall not be deemed economic as related to the particular individual petitioning for such variance, but shall be evaluated in terms of the use of a particular parcel of land because of unique circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved.
- B. Strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner or those having interest from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.
- C. The variance requested is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the hardship.
- D. That the variance will relate only to property under control of the applicant.
- E. That the variance will be in harmony with the general purpose and intent of this Ordinance and will not cause a substantial adverse effect upon surrounding property, property values, and the use and enjoyment of property in the neighborhood or district.
- F. That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.
- G. That the variance requested is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the practical difficulty.

Application Fee: Currently the cost for an Appeal, Variance, Interpretation, Nonconformity and Classification is **\$250.00** per application. There will be **no refund** should an applicant wish to withdraw the application once the application has been processed for a hearing.

Denial of Application: No application for a variance which has been denied, wholly or partly, by the Board of Appeals shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Board of Appeals to be valid.

If you have any questions or concerns, you are welcome to contact this office at (517) 651-5374. The Laingsburg City Hall is located at 114 Woodhull St., Laingsburg, MI 48848.

App No:	Date Received:	Date Paid:	Date Issued:
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THE CITY OF LAINGSBURG ZONING BOARD OF APPEALS APPLICATION REQUEST

REQUEST: (check all that apply)

- Lot Size Requirements
 Lot Width to Depth Requirements
 Setback Requirements
 Square Footage Requirements
 Off-Street Parking and Loading Requirements
 Sign Regulations
 Nonconforming Use
 Interpretation
 Classification
 Appeal of Administrative Decision
 Other: _____

It is encouraged to schedule an appointment with the Zoning Administrator to discuss the specific requirements for the intended use, general requirements for approval, and review process (Article 10 of the City of Laingsburg Zoning Ordinance of 2008, as amended).

Date accepted as complete: _____ Accepted by: _____

Petitioner Name: _____	Phone: _____
Address: _____	
City/Zip Code: _____	
Property Owner: _____	Phone: _____
Address: _____	
City/Zip Code: _____	

<u>PARCEL INFORMATION:</u>		
Township: _____	Section: _____	Zoning District: _____
Parcel Address/ Location: _____		
Parcel ID#: _____ - _____ - _____ - _____		
Date Parcel was Created: _____ Date Structure was Built: _____		
Current Land Use: _____ Proposed Land Use: _____		

<u>VARIANCE REQUESTED:</u> (variance only)		
Variance Requested is from Setback, Width, Lot Requirements, etc.	Required Dimension:	Proposed Dimension:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

APPEAL, INTERPRETATION, or CLASSIFICATION:

Describe what the appeal, interpretation or classification is in regards to:

SUMMARY:

Summarize the reason for the request:

UNIQUE/PHYSICAL CHARACTERISTICS: (variance only)

Identify the unique physical circumstances or conditions, exceptional topography that creates practical difficulties in complying with the Ordinance (typically done by attaching a drawing, photographs, etc.).

ATTEST:

I, the undersigned, attest that I am duly authorized by the owner/s of the above described land to make this specific application; and, that I have reviewed the relevant portions of the City of Laingsburg Zoning Ordinance and I have reason to believe that:

1. The Zoning Ordinance does apply to the request and/or property in question.
2. The approval I seek is necessary in order to carry out my intended use of the property.
3. This application meets the criteria for approval cited in Article 10 of the Zoning Ordinance and the request warrants approval.

I further attest that the information provided in this application is true and correct with the understanding that this permit application is a legal affidavit and as such knowingly providing false information is perjury subject to criminal felony penalties.

Applicant/Owner Signature

Date

Print Name