

## ZONING BOARD OF APPEALS APPLICATION

City of Grand Haven, 20 N. Fifth Street, Grand Haven, MI 49417

Phone: (616) 847-3490 Fax: (616) 844-2051 Website: [www.grandhaven.org](http://www.grandhaven.org)

The City of Grand Haven Zoning Board of Appeals meets in a regular session on the third Wednesday of each month at 7:00 p.m. at the City Council Chambers, 519 Washington, Grand Haven, Michigan.

Materials related to requests for Board action, including any required fees, must be filed at the Planning Department located at 20 N. Fifth, Grand Haven, Michigan, 49417. Questions may be directed to the Kristin Keery, City Planner, at 616.847-3490.

**Filing requests which are not complete or which are not filed by the meeting deadline, as determined by the Zoning Administrator, will not be placed on the agenda of the respective Board meeting, nor will they be considered at the respective Board meeting.**

Filing deadlines are established:

- To comply with various Ordinance requirements;
- To permit adequate time for staff to arrange the notice for publication as may be required;
- To permit adequate time for staff to arrange the mailing of notices as may be required;
- To permit adequate time for the Board and staff to review the filed materials.

Filing deadlines are established at **28 calendar days** prior to the Board meetings:

Filing Deadline			Meeting Date		
December	19,	2007	January	16,	2008
January	16,	2008	February	20,	2008
February	20,	2008	March	19,	2008
March	19,	2008	April	16,	2008
April	16,	2008	May	21,	2008
May	21,	2008	June	18,	2008
June	18,	2008	July	16,	2008
July	16,	2008	August	20,	2008
August	20,	2008	September	17,	2008
September	17,	2008	October	15,	2008
October	15,	2008	November	19,	2008
November	19,	2008	December	17,	2008
December	17,	2008	January	21,	2008



**ZBA REVIEW APPLICATION PROCESS** (see Section 40-113 of the Grand Haven Zoning Ordinance)

1. Zoning Board meetings are held on the third Wednesday of each month at 7:00 p.m. in City Council Chambers, 519 Washington, Grand Haven, Michigan. **It is in your best interest to be present or be represented at the Zoning Board of Appeals meeting.**
2. **Applications must** be filed by the **Property Owner.** All other applications will be returned.
3. The deadline for filing applications is 28 days prior to the day of the meeting.
4. If the Michigan Department of Environmental Quality (MDEQ) has restricted any portion of your lot from being built upon, the MDEQ documentation must be provided along with your application.
5. This **Notarized, Original application and Ten (10) copies of the application plus Ten (10) copies of the site plan** drawn to scale, including information as outlined below, are required. The application must be filed with the City Planner.
6. A fee of \$125.00 shall be paid upon submission of the application the Planning Department located at 20 N. Fifth Street, Grand Haven, MI 49417, or mailed to the Planning Department, 20 N. Fifth, Grand Haven, Michigan 49417 *NOTE: The fee is \$250.00 if the activity or project has started prior to submission of this application.*

The following information must be shown on all site plans presented to the Zoning Board where applicable:

- Description of site (plat numbers and/or legal description).
- Area of site (in square feet or acres).
- Dimensions on all property lines, setbacks and etc.
- The location of all existing structures and proposed structures on subject property.
- The location of all existing structures within 100' of subject property.
- The location of all existing and proposed drives, turning lanes, parking areas, number of parking spaces, greenbelt screening and walls.
- The location and right-of-way widths of all abutting streets and alleys.
- Loading and unloading areas.

*The Engineer, Architect, Planner and/or Designer retained to develop the site plan shall be responsible for securing a copy of the Zoning Ordinance and following all requirements therein. Further, these professionals shall make themselves aware of all Master Plan requirements, for example, major thoroughfares, land use, recreations and etc.*

I certify that the above required information is shown on the site plan included with this form.

\_\_\_\_\_  
**Signature of Property Owner**

\_\_\_\_\_  
**Date**



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Application Fee \$125.00 / \$250.00

## 1. Project Information

To the Zoning Board of Appeals;

I (we) \_\_\_\_\_ of \_\_\_\_\_  
(Applicant Name) (Street Number)

\_\_\_\_\_ (City) \_\_\_\_\_ (State & Zip Code)

Applicant Phone Number: \_\_\_\_\_ Applicant Fax Number: \_\_\_\_\_

HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FOR A:

Variance ( ) Permit ( ) Interpretation ( ) or Review and Approval ( )

Address/location of property: \_\_\_\_\_

Parcel #: \_\_\_\_\_ Zoning District: \_\_\_\_\_

## 2. Required Attachments

- 10 copies of site plan
- 10 copies of the application (pages 2-5 only)
- Narrative demonstrating why a variance is being sought
- Description of how the requested variance meets all of the eight (8) Basic Conditions
- Description of how the requested variance meets any one (1) of the Specific Conditions
- Required fee

## 3. Description of Case *(fill out only the items that apply to your case)*

### A. Description of the property

- 1) Size of lot \_\_\_\_\_
- 2) Area of lot \_\_\_\_\_
- 3) Is lot a corner or interior lot \_\_\_\_\_

### B. Description of existing structures:

- 1) Number of buildings now on premises \_\_\_\_\_
- 2) Size of each building now on premises \_\_\_\_\_
- 3) Use of existing buildings on premises \_\_\_\_\_

### C. Description of proposed structures:

- 1) Height of proposed structure \_\_\_\_\_
- 2) Dimensions of proposed building or addition \_\_\_\_\_



- 3) Area of proposed building \_\_\_\_\_
- 4) Percentage of lot coverage of building or addition \_\_\_\_\_

D. Yard setbacks after completion of building or addition:

- 1) Front yard (measured from lot line) \_\_\_\_\_
- 2) Side yard (measured from lot line) \_\_\_\_\_
- 3) Rear yard (measured from lot line) \_\_\_\_\_

E. A sketch depicting the above information shall accompany this application. The sketch shall be on a sheet of paper 8 1/2" x 11" in size.

F. Article and Section number of Zoning Ordinance that is being appealed:

G. Clearly state your request: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. The Board shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height regulations, yard and depth regulations, and off-street parking and loading space requirements provided it finds that **all of the Basic Conditions** and **any one (1) of the Specific Conditions** described below can be satisfied. The appellant shall submit, along with the established fee and other materials, a narrative demonstrating why a variance is sought.

A. Basic Conditions: The Board shall find that a variance request meets all of the following conditions.

- 1) The requested variance shall not be contrary to the public interest or to the intent and purpose of this Ordinance.
- 2) The requested variance shall not permit the establishment within a district of any use which is not permitted by right within that zone district, or any use or dimensional variance for which a special land use permit is required.
- 3) The requested variance shall not cause a substantial adverse effect upon properties in the immediate vicinity or in the district in which the property of the applicant is located.
- 4) The conditions or situations which necessitate the requested variance is not so general or of such recurrent nature as to make the formulation of a general regulation for such conditions reasonably practical.
- 5) The requested variance shall relate only to property that is under control of the applicant.
- 6) The requested variance shall not be necessitated by any self-created condition or action taken by the applicant or property owner.
- 7) There is no reasonable alternative location on the parcel for the proposed improvements for which a variance is sought where such alternative location would eliminate the need



for the requested variance or reduce the extent of the condition(s) necessitating the variance.

8) The requested variance is the minimum variance that will make possible the reasonable use of the land.

B. Special Conditions When all of the foregoing basic conditions can be satisfied, a variance may be granted when any one (1) of the following special conditions can be clearly demonstrated:

- 1) Where there are practical difficulties, which prevent full compliance with the requirements of this Ordinance. Such practical difficulties shall be evaluated in terms of the use of a particular parcel of land. Neither the fact that the appellant could: (a) incur additional costs to achieve full compliance, or (b) receive additional income with less than full compliance shall be determined a practical difficulty for the purposes of this paragraph.
- 2) Where there are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property that do not generally apply to other property or uses in the same zoning district.
- 3) Where such variation is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.

**Section 40-113.08 (B)(3)** states the following (*See Section for additional Rules*):

- 1. Each variance granted under the provisions of this Ordinance shall become null and void unless: The construction authorized by such variance has received a City Land Use Permit within one (1) year after the granting of the variance; and the occupancy of land, premises, or buildings authorized by the variance has taken place within one (1) year after the issuance of the Land Use Permit, unless an extension of time has been granted by the Zoning Board of Appeals. The Zoning Administrator may grant one six (6) month extension of construction. After expiration of a six (6) month extension, all extension shall be granted by the Zoning Board of Appeals.
- 2. No application for a variance which has been denied wholly or in part by the Board shall be re-submitted for a period of one (1) year from the date of the last denial, except on the grounds of newly discovered evidence of changed conditions found, upon inspection by the Board, to be valid.

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Subscribed and sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2007

My Commission expires on: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

