

NEW BUFFALO TOWNSHIP

17425 Red Arrow Hwy

New Buffalo, Michigan 49117

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For Office Use Only

Fee _____

Receipt No. _____

Date Rec. _____

Hearing Date _____

Zoning Board of Appeals Action: _____

Date: _____

Tax Code: _____

NEW BUFFALO TOWNSHIP ZONING BOARD OF APPEALS

IDENTIFICATION

APPLICANT:

*Please note that applicant and/or representative must be present to discuss this application at the scheduled public hearing.

Name _____ Telephone _____

Address _____ City/State/Zip _____

Please Note: All questions must be answered completely. If additional space is needed, number and attach additional sheets. The total number of attached sheets is _____.

I. ACTION REQUESTED

I (we) the undersigned, request a hearing before the New Buffalo Township Zoning Board of Appeals for the purpose(s) indicated below:

☐ Ordinance or Map Interpretation ☐ Variance
☐ Appeal from Administrative ☐ Other Authorized Review

II. PROPERTY INFORMATION

A. Legal description of property affected by this appeal: _____

B. List all deed restrictions attaching additional sheets if necessary: _____

C. List names and address of all other persons, firms or corporations having legal or equitable interest in the land: _____

D. This area is: ☐ Unplatted ☐ Platted ☐ Will be platted

If platted, name of plat: _____

E. Attach a copy of plat and a site plan drawn to scale and all other information required by Article 6 of the New Buffalo Township Zoning Ordinance.

1. For Variances in yard setbacks, a survey is required showing, as a minimum, the location of existing building(s) and proposed building(s).
2. For building height variances, in addition to 1. above, provide architectural elevation with dimensions and yard elevations.
3. For sign or billboard variances, provide a survey indicating, as a minimum, the data requested in 1. above, dimensions and elevations of all buildings, location of all existing & proposed signs, sign dimensions and verbiage.

F. Present use of the property is: _____

G. Present zoning district classification of the property is: _____

H. A previous appeal ☐ has ☐ has not been made with respect to these premises. If a previous appeal, rezoning, or special use permit application was made, state the date, nature of action requested and decision:

Date _____ Action Requested _____

Decision _____

III. DETAILED REQUEST AND JUSTIFICATION

A. Interpretation of Zoning Ordinance of Map

1. The Appellant requests the ZBA make an interpretation of:

☐ the location of district boundaries on the New Buffalo Township Zoning District Map as applied to the property described in this application;

☐ the provisions of Article _____. Section _____ of the New Buffalo Township Ordinance;

☐ other, (specify) _____

2. Please describe in detail the nature of the problem to be interpreted and the reason for the request:

B. Variance from the Requirements of the Zoning Ordinance

The Appellant requests the ZBA grant a variance of the above-described property.

1. Indicate below the ordinance requirement(s) for which you seek a variance:

☐ Setback ☐ Sideyard ☐ Off Street Parking ☐ Lot Coverage
☐ Placement ☐ Height ☐ Signs ☐ Area Requirements
☐ Other _____

2. State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance.

3. Describe the characteristics of your property which require the granting of a variance (include dimensional information):

☐ Too small ☐ Elevation ☐ Soil ☐ Too narrow
☐ Slope ☐ Subsurface ☐ Too shallow ☐ Shape
☐ Other (specify) _____

4. Justification for granting the requested variance. The appellant must show that strict application of the provisions of the Zoning Ordinance to his/her property would result in practical difficulties or 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 Appellant 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 is not granted? ☐ Yes ☐ No
If no, what unnecessary hardship will result if the variance is not granted?

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? ☐ Yes ☐ No

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

c. Are the conditions on your property the result of other man-made changes (such as the relocation of a road or highway)?

☐ Yes ☐ No If yes, describe. _____

d. 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? _____

e. Is the variance applied for due to unique circumstance present on your property or to general conditions in the area? ☐ Yes ☐ No

If yes, explain any peculiar or unique conditions and how many other properties in your area are similarly affected. _____

f. Would granting the variance change the essential character of the area? ☐ Yes ☐ No If yes, how? _____

g. Would granting the variance be contrary to any Township Development Plans? ☐ Yes ☐ No Explain _____

h. Would granting the variance be contrary to the intent and purpose of the Zoning Ordinance? ☐ Yes ☐ No If yes, explain _____

i. Other comments in support of the application: _____

C. Appeal from Administrative Decision

The Appellant requests the Board of Appeals to reverse/modify the Zoning Administrator's decision (copy attached) on application number _____, dated _____. It is alleged that the Zoning Administrator erred in (specify): _____

the interpretation of Article _____, Section _____; his order, requirement, decision, or determination regarding the issuance of a _____ permit and that reversal/modification of said decision should be granted because:

Specify decision sought: _____

D. Other Authorized Reviews

The Appellant petitions the Board of Appeals to grant the following:

☐ Special Exception

☐ Exception to Parking Requirements

☐ Special Use Permit

☐ Temporary Permits

☐ Change in Nonconforming Use Status

☐ Other _____

according to the conditions and provisions of Article _____, Section _____ granting this authority to the Board of Appeals. Specifically, state the problem (the proposed use of the property) decision sought, and justification for the request. _____

IV. IMPACT ON SURROUNDING LANDS

If your request is granted:

A. What are likely to be the positive & negative impacts of this decision on surrounding land & neighbors? _____

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

V. ALLOW ACCESS TO SITE

I agree to allow New Buffalo Township Officials access to the property for which this application is made for the purpose of viewing the site.

VI. AFFIDAVIT

The undersigned acknowledges that if a variance is granted or other decisions favorable to the undersigned is rendered upon the appeal, the said decision does not relieve the applicant from compliance with all other provisions of the New Buffalo Township Zoning Ordinance; the undersigned further affirms that he/she or they is/are the:

[] owner [] lessee [] 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/their knowledge and belief.

Applicant Signature

Date

Applicant Signature

Date

Applicant Signature

Date