

BOYNE VALLEY TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION

1. Applicant: _____

Address: _____

Telephone: _____ Cell: _____

2. Owner: _____

Address: _____

Telephone: _____ Cell: _____

3. Variance Request: _____

4. Is Property Description Attached? Yes _____ No _____

5. Property Tax Number: _____

6. Property Address: _____

7. Attach a drawing of the site showing:

- a) Property boundaries
- b) Existing and proposed buildings
- c) The distance from the lot lines of each existing or proposed building.
- d) Unusual physical features of the site or buildings

8. Names & Address of all other persons, firms, or corporations having a legal interest in the property:

Applicants Signature: _____

And/or

Owners Signature: _____

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CRITERIA FOR VARIANCE APPROVAL

The Zoning Board of appeals treats each variance request individually and approves or denies each variance request on its own merits. In order for the Board of Appeals to grant a variance the applicant must satisfy one or more of the following conditions which are contained in Section 13 of the Boyne Valley Township Zoning Ordinance.

Variations: The Zoning Board of Appeals shall have the power to authorize, (except in cases of nonconforming uses or structure) upon appeal, specific variances from such dimensional requirements as lot area and width regulations, building height and square foot regulation, yard width and depth regulations, and such requirements as off-street parking and loading space as specified in this Ordinance when all the basic conditions listed below are satisfied.

It shall be found by the Zoning Board of Appeals that any variance granted:

- 1: Will not be contrary to the public interest or to the spirit and intent of this Ordinance.
- 2: Shall not permit the establishment within a zoning district of any use which is not permitted by right within that district.
- 3: Relates only to property that is under control of the applicant.
- 4: Will not cause any adverse effect to property in the vicinity or in the zoning district or the Township.
- 5: Affects only property subject to exceptional or extraordinary circumstances or conditions that do not generally apply to other property or uses in the vicinity, and have not resulted from any act or the applicant.

In addition to the foregoing conditions, the following rules shall be applied in the granting of variances:

- 1: In granting a variance, the Zoning Board of Appeals may specify in writing to the applicant such conditions in connection with the granting that will, in its judgment, secure substantially, the objectives of the regulations or provisions to which such variance applies.
- 2: No application for a variance which has been denied wholly or in part by the Zoning Board of Appeals shall be submitted for a period of one (1) year from the date of its last denial, except on grounds of newly discovered evidence of proof of changed conditions found upon inspection by the Zoning board of appeals to be valid.
- 3: Each variance granted shall become null and void unless the provisions of the variance have been utilized by the applicant within six (6) months after the granting of the applicant.

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Also:

- 1: That special conditions and circumstances exist which are particular to the land, structure, or buildings involved and which are not applicable to other lands, structures, or buildings in the same vicinity
- 2: That literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same vicinity under the terms of the Ordinance.
- 3: That the special conditions and circumstances of not result from the actions of the applicant, notwithstanding other provisions of this Ordinance.
- 4: That granting the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same vicinity.

The above criteria has been explained to me and I understand that I must demonstrate to the Zoning Board of Appeals that I satisfy one or more of the criteria in order to be granted a variance from the Boyne Valley Township Zoning Ordinance.

Signature _____ Date: _____

OFFICIAL USE ONLY

Case # _____

Filing Date _____

Date Paid _____

Date of Hearing _____

ZBA Action: _____

Chairman ZBA: _____