



SPECIAL APPROVAL APPLICATION

ZONING BOARD OF APPEALS (ZBA)
PLANNING COMMISSION (PC)

Part 1: PROPERTY & OWNER INFO: Complete for both ZBA Variance & PC Site Plan Review Applications:

Property Information:

Parcel Number: #015-005-_____ - _____ - _____

Lot Size: (area) _____ Sq. Ft. OR, Acreage: _____ ZONING DISTRICT: _____

Waterfront Lot? YES NO | Located in a Steep Slopes Area? YES NO | On Private Road? YES NO

Parcel Address: _____

What is the impervious surface area of the lot? _____ (in Sq. ft.), and as a % of total lot area: _____

Property Owner Information:

Name: _____

Mailing Address: _____

City: _____ State: _____ ZIP _____

Mobile Phone: _____ Email Address: _____

Applicant/Agent Information: (if different from property owner/i.e. attorney or consultant acting as agent for owner)

Name: _____

Mailing Address: _____

City: _____ State: _____ ZIP _____

Mobile Phone: _____ Email Address: _____

Proof of Ownership, showing legal description of parcel: (please check & attach one of the following)

- Copy of Deed, Current year tax bill, Abstract of Title, Land Contract Deed

Project Description:

Building/Structure Type: _____ Dimensions: _____ Sq. Ft.: _____

Additional details: _____

Project requires a (check all applicable): Dimensional Variance, Special Use Permit, Site Plan Review, or Other

If Other was checked, list request type here: _____

Why does project need a special approval? _____

Application is hereby made for a 'Special Approval' hearing before the following Evangeline Township board or commission:

ZONING BOARD OF APPEALS (Parts 1, 4, 6 & ...)

- Variance to the zoning standard (Dimensional variance) (part 4)
- Interpretation of the zoning ordinance (part 5.1)
- Classification of unlisted land use(s) (part 5.2)
- Determination of Zoning District boundaries (part 5.3)
- Appeal of Zoning Admin decision (part 5.4)

Submit ZBA applications 31-days before next meeting

PLANNING COMMISSION (Parts 1, 2, 6 & ...)

- Special Use Permit (SUP) (part 2)
- Site Plan Review (SPR) (part 2)
- Rezoning Request (part 3.1)
- Change of Use (part 3.2)
- Proposed Amendment to the ordinance (part 3.3)

Submit PC applications 45-days before next meeting

Attach a Site Plan drawing:

SITE PLAN INFO: For ALL application requests a SITE PLAN drawing is required. Please provide a detailed drawing to scale, showing all existing and proposed structures, including dimensions and height for each, with distances from lot lines, roads, bodies of water, and distances between structures clearly indicated. **See Section 6.02C for Site Plan Data Required.**

Attach a **Statement of Justification**: Which should clearly detail the reasoning why a special approval should be granted for this request, specifically, as it pertains to the applicable section(s) of the Evangeline Township Zoning Ordinance.

Part 2: PC APPLICATIONS Complete this section for a Site Plan Review with the Planning Commission:

- Site Plan Review (SPR)**
 - SPR not requiring a Special Use Permit (SUP)
 - Waterfront Lot Development/Redevelopment
 - Steep Slopes Lot Development/Redevelopment
 - Change of Use – Existing structure or Lot
 - Off-street Parking (5 or more parking spaces)
 - Condominium Development
 - Private Road* Lot Reconfiguration*
 - Special Use Permit (SUP)**
 - SPR & Public Hearing required for Special Use Permits*
 - Campground Cottage Industry Kennels
 - Churches/Schools/Public Buildings Event Centers
 - Industrial District Uses (all) Mills
 - Nursing/Assisted living homes Vet Clinics
 - Warehouse/Storage Riding Stables
 - OTHER _____
- *Addendum forms required for Private Road or Lot Reconfiguration. Please attach applicable addendum form

Section 6.02 – Site Plan Review (SPR)

Required site plans give the Planning Commission an opportunity to review development proposals in a concise and consistent manner. The use of the site plan ensures that the physical changes in the property meet with local approval and that development actually occurs as it was planned and represented by the developer.

Please see Section 6.02. D1 – 6.02. D6 for the SITE PLAN REVIEW Standards

Section 7.02 – Uses Subject to Special Use Permit (SUP)

Uses requiring special use permit shall be subject to the general provisions and supplemental site development standards of this Ordinance, and the provisions of the zoning district where located in addition to applicable provisions of this Article to prevent conflict with or impairment of the other uses or uses permitted by right of the district. Each use shall be considered an individual case.

Please see Section 7.02. D1 – 7.02. D8 for the Standards for granting a SPECIAL USE PERMIT.

Please provide all of the following with the SPR or SUP application:

- ✓ Description of the proposed use, including parking facilities, if required, and any exceptional traffic situations the use may generate.
- ✓ Statement appraising the effect on the neighborhood.
- ✓ Detailed written statement, with supporting evidence, demonstrating how the proposed special land use will comply with the standards for special use permit specified in Section 7.02.D of the Evangeline Township Zoning Ordinance.

Part 3: OTHER PC APPLICATION TYPES

Part 3.1 Rezoning Request:

Zoning District desired: _____ Parcel width: _____ depth: _____ (Feet)

Reason for requested change: _____

How will the change impact the land use(s) of any surrounding parcels? _____

Part 3.2 Request for Change of Use:

What is the current land use of the subject parcel? _____

Is the current land use a nonconforming use? YES, NO – If YES: is the use designated as Class A, or Class B

Will the proposed new use be a nonconforming use? YES, NO – If YES: will it be Class A, or Class B

If the current use IS nonconforming, will proposed use be less so (proposed is more conforming than current)? YES, NO

Describe proposed new use: _____

Reason for requested change of use: _____

Anticipated impact on the land use(s) of the surrounding parcels: _____

Part 3.3 Requests for a change to the zoning map or text of the zoning ordinance (Amendment Proposal):

Brief description of the requested change and why it would be desirable for Evangeline Township to adopt the change(s).

(Attach statement if desired): _____

Section(s) of the Evangeline Township Zoning Ordinance that would be subject to the proposed change(s): _____

Part 4: APPEALS TO THE ZBA:

Please READ and complete this section for all ZBA variance requests & appeals: (ZBA Applications Only)

Pursuant to Section 9.07 of the Evangeline Township Zoning Ordinance, regarding variances: The ZBA may grant dimensional variances when the applicant demonstrates in the official record of the hearing that the strict enforcement of this Ordinance would result in practical difficulty. To establish practical difficulty, the applicant must establish all of the following:

1. The need for the requested variance is due to unique circumstances or physical conditions of the property involved that do not apply generally to other properties in the surrounding area, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant’s personal or economic hardship.
2. The need for the requested variance is not the result of action of the property owner or previous property owners (self-created). If a variance is requested from the slope regulations of this Ordinance, the need for the requested variance shall be deemed self-created if the present lot on which the variance will apply was created after May 29, 2008 and an area on the lot that existed prior to the creation of the present lot permitted development in full compliance with the slope regulations of this Ordinance.
3. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.
4. Whether granting the requested variance would do substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give a substantial relief to the property owner and be more consistent with justice to other property owners.
5. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or Zoning District.

As the burden of proof for granting a variance rests upon the applicant, please be aware that if there is not sufficient evidence that ALL of the conditions are met, there is a high probability the variance request may be denied.

Can it be demonstrated that **ALL 5** of the criteria listed are sufficiently met? YES, NO: (if you answered NO, you may want to consider revising your proposed project to conform to the zoning standards, to eliminate the need for a variance.)

The Statement of Justification should explain in detail how each of the 5 criteria above is, with factual support, met.

Part 5: OTHER ZBA APPEALS REQUESTS

Part 5.1 Ordinance Interpretations Requests:

List specific Zoning Ordinance Section(s) needing interpretation: _____

Reason interpretation is requested: _____

Part 5.2 Classification of Unlisted Land Use(s): (attach additional pages if more space is needed)

Describe proposed land use: _____

Describe anticipated impact of proposed land use on surrounding properties: _____

List an approved land use that most closely resembles the proposed land use: _____

Classification desired: Use by right (no permit required), Allowable use, Special Use

Support for the classification desired: _____

Part 5.3 Interpretation of the location of a Zoning District Boundary:

Is the subject parcel located on a borderline between two zoning district boundaries? YES, NO

List the next closest zoning district(s) in relation to the subject parcel: _____

Is the subject parcel the result of a lot reconfiguration made after May 29, 2008? YES, NO (if YES, list date of PC approval)
Planning Commission case approval date: _____ PC case# (if known): _____

Part 5.4 Appeal of the Zoning Administrator's decision:

Please attach a copy of the Zoning Permit Application denial notice and a statement of your grievance with the decision.

If this request is for a REHEARING of a previously decided upon case, check this box and provide former Hearing Case#
_____; with ZBA or PC, original case decision date: _____

Part 6: CERTIFICATION & ACKNOWLEDGEMENT

Certification:

I certify that I am the owner of record, or have been authorized by the owner of record to make this application as his/her agent, and that the information provided herein is accurate to the best of my knowledge; and hereby request a hearing with the applicable board or commission for a Special Approval. I hereby grant authorization to the Zoning Administrator, other Township officials, and all members of the applicable board or commission to access/enter onto the property referenced in this application, to make such investigations and tests as they deem necessary or required for processing this request.

Signature: _____

Parcel Owner, or Authorized Agent for Parcel Owner Date: _____

ACKNOWLEDGEMENT

Legal notice of the date, time, location, and subject of the public hearing to be held regarding any applicable Special Approval application shall be published in a newspaper, which circulates generally in the Township. Additionally, notice of the Public Hearing shall be provided by individual letters mailed to all parcel owners of record for any neighboring parcel that is within 300-feet of the subject parcel referenced in the application.

The Zoning Board of Appeals and Planning Commission may attach reasonable conditions on discretionary zoning decisions under their jurisdiction. Including those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

All Special Approvals expire 1 year from date of approval if no substantial construction has commenced prior to the expiration date. Extensions may be granted if warranted, applied for, and approved by the applicable board or commission.

I have read and understand the acknowledgement and hereby agree to comply with all of the terms and conditions of any special approval granted in conjunction with this application, as well as all zoning permits that may be issued pursuant to this special approval application.

Signature: _____ Date: _____

For TWP Use Only:

Application Fee Amount: \$ _____ Received Date: _____ Receipt #: _____

Hearing Date: _____ with ZBA, or PC | Case #: _____ APPROVED, DENIED

Special Meeting or Regular Meeting | District Notices Required? YES, NO 300Ft. Notices? YES, NO

Dates: Special Meeting Public Notice Publish (or N/A) _____ 300Ft Notices: _____

Date Notice & Details Posted on Website: _____ Meeting Minutes Approved Date: _____

Date signed D&O provided to applicant: _____ Rehearing Filing Date Expiration: _____

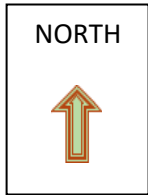
Special Approval Application Plot or site plan drawing

(Draw or attach)

Project Info: _____

Zoning District: _____

- Shape of lot to scale
- Dimensions of Buildings to scale
- Location, shape size of all buildings present & to be erected
- Lot access and driveway drawn to scale
- Location of well & septic (or proposed well and septic)
- Existing and intended use of lot and buildings
- Clearly mark new construction on drawing
- Other information concerning lot or adjoining lots as necessary



Proposed structure dimensions:

Length: _____ feet

Width: _____ feet

Height: _____ feet

% of TOTAL Impervious Surface Area: _____

Application instructions and checklist of items and details to include on or with application

Please complete the application form in its entirety before submitting. Only leave information areas ‘blank’ if it does not apply to your project.

Application indicates which sections of the form must be completed for various types of applications (i.e.: ZBA variance request needs Parts 1,4 & 6 completed, a Site Plan Review needs Parts 1, 2 & 6, and a request to amend the zoning text or zoning map would require Parts 1,2,3.3 & 6)

ZONING DISTRICT (ZD):

If you do not know the ZD of your parcel, look in the Evangeline Township Zoning Ordinance (Section 4.02 – Zoning Map) page IV-2 for the district map. Ordinance is available on our website, <http://www.evangelinetwp.org/> or call the zoning office for assistance, at 231-582-0337

Zoning District (ZD) Identified:

- GB – Glenwood Beach
- P – Pinehurst Waterfront Residential
- K – Kriegerville Waterfront Residential
- SWB – Springwater Beach
- R-1 – General Residential
- W – Walloon Waterfront Residential
- RRF – Rural Residential/Farm Forest
- R/CS – Recreation/Community Service
- I - Industrial
- MU – Mixed Use

BASIC SITE PLAN in a scale sufficient to clearly detail: *(sufficient for most dimensional variances)*

- Boundary lines depicting shape & size of subject parcel with footage/distance notation of each lot line
- Location and dimensions of proposed project
- Location and dimensions of all existing buildings/structures on parcel
- Height of all buildings or structures
- Elevations and topography of parcel, especially if waterfront or steep slopes area – notate ordinary high-water elevation
- Notation of all distances between building/structures and between buildings and lot lines of parcel
- Location of existing driveway access and any proposed new driveway access
- Width and alignment of all easements for utilities, roads, and public open spaces on or abutting parcel
- Location and dimension of existing and/or proposed septic system on the parcel
- Location of any wet lands, ponds, creeks, lakes and rivers on or within 100 ft. of property
- Location of wells, septic systems, and drain fields on adjoining properties if located within 50 ft. of parcel
- Properties under 2 acres may require a legal survey (at the discretion of the Zoning Administrator)

DETAILED SITE PLAN: See Section 6.02C, 1-17 for all requirements

(DETAILED Site Plan is required for Special Use Permits, Condominium Developments, and Industrial District Uses)

- Detailed site plans shall contain all the information of Basic site plan plus the additional requirements in Section 6.02C
- Detailed site plans MUST be prepared by a licensed professional and be signed and stamped with their official seal

All Special Approval Applications:

- Attach: ‘Statement of Justification’ to support valid reasons for granting the requested special approval
- Attach: Appropriate SITE PLAN as referenced above
- Attach: Any other information deemed necessary for making an informed decision on the request
- Attach: Copies of permits or approvals of any other applicable permitting issued by federal, state or county agencies, or pending applications for permits not yet approved or issued
- Payment of application fee(s)

Additional Requirements:

- The location of the property boundaries and all proposed structures for the project shall be clearly marked on the ground for Township officials’ pre-hearing inspections

Permit applications will not be processed until all applicable fees have been paid

Evangeline Township Zoning Fee Schedule and Zoning Ordinance is available on our website, <http://www.evangelinetwp.org/>

ARE YOU READY TO SUBMIT YOUR APPLICATION?

- ✓ Did you have a pre-application consultation with the Zoning Administrator?
- ✓ Did you clearly mark the project area on your parcel for any applicable pre-hearing inspections?
- ✓ Did you include a ‘Statement of Justification’ with the application?
- ✓ Did you complete the site plan page or have one professionally prepared?
- ✓ Did you complete all of the required sections of the application form?
- ✓ Did you attach copies of all applicable permits issued by federal, state or county agencies for this project?
- ✓ Did you include all pertinent information regarding your project?
- ✓ Did you **READ** the **Acknowledgement** section and sign it as required?
- ✓ Did you include a check, payable to Evangeline Township for the permit fees?
- ✓ **If you answered YES to ALL of the above, congratulations! You are now ready to apply.**
- ✓ Please submit pages 1-5 along with all the supporting documents required.
- ✓ Pages 6 & 7 are for you to keep for your records. THANK YOU!

PRE-APPLICATION CONSULTATION WITH ZONING ADMINISTRATOR

– Notes for applicant’s record –

Consultation via phone call, or in person | On: _____(Date)

Notes: