

A HERITAGE OF GOOD LIVING

City of Lathrup Village Zoning Board of Appeals 27400 Southfield Road Lathrup Village, MI 48076

Phone: (248) 557-2600 Fax: (248) 557-2602

Office Use Only							

Application for Zoning Appeal									
Subject Pr	operty A	ddress:							
Subject Property Parcel Number:									
Property Zoning:									
Applicant	Informa	ation		and the same transfer			Contract the second second second		
Name:									
Address:					2 2412 Vs. 10 22	State:	Zip Code:		
Phone Number:					Fax:				
Email Address:									
Interest in	Property	y:							
Property (	Owner I	nformation	1						
Name:									
Address:		1 1 1		1 2		State:	Zip Code:		
Phone Nur	nber:				Fax:				
Email Addr	ress:								
Variance I	nforma	tion (Attac	h Add	itional Pages as N	lecessary)				
1) Section:			Vai	riance Description:					
2) Section:	ection:		Vai	riance Description:					
3) Section:			Vai	riance Description:					
Please State the Reason for Requesting an Ordinance Variance:									
-									
Required Items									
Prior to <b>30 Days</b> before next scheduled regular meeting of the Zoning Board of Appeals the applicant is required									
to file <b>10 copies</b> of plans containing the following items with the Clerk's Office:									
☐ An application fee for a Zoning Appeal. \$125.00 for Residential Parcels and \$200 for all other Parcels									
☐ Actual	☐ Actual shape and dimensions of the lot, Drawn to Scale								
The location and dimensions of all existing structures and the location and dimensions of the proposed change									
<ul><li>(i.e. new structure of alteration of existing one).</li><li>□ Existing and intended use for each building or part thereof.</li></ul>									
□ Statement of practical difficulties that prevent conformities with the Ordinance Requirements									
	Description of any unique circumstances regarding the property (i.e. parcel shape location, building etc.)								

# **Application for Zoning Appeal**

The Zoning Board of Appeals has the responsibility for making the decision to approve or deny your appeal. Information such as photographs, evidence that you have discussed your appeal with your neighbors, detailed plans, examples of the type of building, structure or the like will provide a better basis for review and understanding of your appeal. Failure to provide adequate specifics and details will result in a refusal by the City staff to accept your application and delay your appearance before the Zoning Board of Appeals.

#### Standards Used by the Zoning Board of Appeals for Granting Variances

The Zoning Board of Appeals will use the following standards for granting variances. The Applicant is encourage to review Article 7.0 of the Zoning Ordinance prior to appearing before the Board.

### Article 7.0, Section 7.7(14) Deviations and Standards

- Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship will result to the applicant if the strict letter of the regulations are carried out. Mere
- b) The factual circumstances upon which an application for a deviation is based are unique to the property for which the deviation is sought, and are not applicable to the City generally, or to other property within the same zoning classification.
- c) Any alleged practical difficulty or unnecessary hardship caused by this ordinance has not been created by an persons presently or previously having an interest in the property.
- d) The proposed deviation will not adversely affect the purpose or objectives of this ordinance, nor impair the adequate supply of light and air to adjacent property nor diminish the marketable value of adjacent lands and buildings, nor increase the congestion in public streets.
- e) The proposed deviation will not otherwise impair the public health, safety, comfort, and general welfare.
- f) The benefit to the applicant will be real and substantial and any detriment to the neighboring property owners and occupants or the community at large is not substantial or is illusory. Benefits and detriments shall be determined in relation to the factors which impair the value and use of properties as related in (d) and (e), above.
- g) The applicant is both willing and able to provide additional amenities beyond those minimally required by this ordinance and/or restrict the use of the property beyond those limitations placed on the property by this ordinance so that the fair market value of neighboring properties will be enhanced beyond the values which would accrue to them if the property were developed and used in strict conformity with the ordinance.
- h) The same or a substantially similar request shall not have been presented to the Council in the form of a petition for a zoning amendment and been expressly denied and rejected after a public hearing.
- i) Any special criteria listed for specific deviations elsewhere in this ordinance.

#### **Verbatim Minutes**

If any party desires that a verbatim record be kept, \$200.00 shall be paid by the requesting party before the evidentiary portion of the hearing commences. The city shall refund such amount of the fee paid as exceeds the city's actual costs when the proceedings have been completed.

The undersigned being duly sworn, deposes and says that the foregoing statements and answers herein

#### Owner's Affidavit

contained and supporting information and data are in all respects true and correct to the best of the Owner's knowledge and belief.

Signature:

Date:

Subscribed and sworn to before me this:

Notary Public Name:

With Commission to expire on:

# Applicant Signature

I/We do hereby swear that the above stated information is accurate and complete.

Name:
Signature:
Date:

## **Application Materials Submitted**

Prior to 30 Days before next scheduled regular meeting of the Zoning Board of Appeals the applicant is required to submit:

- a variance Application along with 10 copies of plans
- An application fee for a Zoning Appeal. \$125.00 for Residential Parcels and \$200 for all other Parcels
- Actual shape and dimensions of the lot, Drawn to Scale including the location and dimensions of all
  existing structures and proposed changes (i.e. new structure of alteration of existing one).
- Existing and intended use for each building or part thereof
- Statement of practical difficulties that prevent conformities with the Ordinance Requirements and description of any unique circumstances regarding the property (i.e. parcel shape, location, building, etc)

## Application is Reviewed by City Staff

Application Materials are simultaneously reviewed by Building Official and City Officials to make sure they are complete and the Zoning Board of Appeals has enough information to render a decision based upon Article 7.0, Section 7.7(14) Deviations and Standards.

## Public Hearing is Scheduled and Noticed

A public hearing is required for all variances to the City Codes. Per state law a notice must be published in a local newspaper at least 15 days in advance of the meeting and notice must be mailed to all parcel owners within 300 feet of the requested variance.

# Public Hearing is held by City Council

The City Council and Zoning Board of Appeals share membership and meeting schedule. Public Hearings are scheduled on the Third Monday of the month at 7:00pm in the City Council chambers. The Public has the opportunity to speak in opposition to and/or support of the proposed variance.

## Variance Request Approved

Variance is approved and permission is given to allow project to proceed as proposed.

#### Variance Request Denied

If the Zoning Board of Appeals does not decide the requests meet standard set forth in the ordinance then the plans as submitted must be amended to comply with the City Ordinances.

# Projects Proceeds either as Proposed (with Variance) or as Amended (without Variance)

# **Project Approval**

Construction documents are amended based upon any conditions made during Site Plan Review, Special Land Use Approval, or Variance requests.