



ROBINSON TOWNSHIP
Ottawa County
12010 – 120th Avenue, Grand Haven, Michigan 49417

VARIANCE REQUEST

For an application to be considered complete, all requested information must be provided. If an item is not applicable to your application, please state “not applicable” and provide an explanation why it is not applicable.

- **Review Body:** Zoning Board of Appeals
- **Meeting Frequency:** Four times per year
- **Township Office Review:** Following review by township personnel, if any required materials are deemed missing the applicant will be notified and must provide said material, which must result in a complete application.

DO NOT DISCARD THIS PAGE
YOU MUST SUBMIT THIS PAGE WITH YOUR APPLICATION

For office use

Date Received: _____ Payment of: _____ Via Check: _____ Cash: _____



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ZONING BOARD OF APPEALS

GENERAL INFORMATION:

The Zoning Board of Appeals (ZBA) consists of five residents of the Township who are appointed by the Township Board of Trustees. The ZBA is empowered by the Zoning Ordinance and state statute to grant variances to the requirements of the Zoning Ordinance *upon findings of certain facts and/or conditions that exist*. The ZBA is also empowered to make other decisions assigned to it by the Zoning Ordinance, upon certain findings and subject to specific requirements.

The Zoning Ordinance provides for three areas of Appeal:

1. A use or area (dimensional) variance;
2. An appeal of an Administrative decision; and
3. An interpretation of the Zoning Map or Zoning Ordinance text.

The ZBA cannot change the Zoning Ordinance text or the Zoning Map; this can only be performed by the Board of Trustees.

An area (dimensional) variance is granted upon a showing of “practical difficulty,” generally created by a dimensional requirement in the Zoning Ordinance. The practical difficulty must apply to the property, not to the applicant. If granted, the variance is a license to violate a specific provision of the Zoning Ordinance. Area variances typically involve setbacks, height limitations, square footage requirements, bulk, lot area and other numerical standards in the Zoning Ordinance.

A use variance is granted upon a showing of “unnecessary hardship,” which again must apply to the property and not the applicant. If granted, the variance is a license to use the property in a way not allowed by the Zoning Ordinance.

Section 40.6 of the Zoning Ordinance establishes standards which apply to all variances. Section 40.6 provides that neither an area variance or a use variance may be granted unless all of the following standards are met:

- (A) There are exceptional or extraordinary circumstances or conditions applying to the property in question, as to the intended use thereof, that do not apply generally to other properties or classes of uses in the same zone.
- (B) Such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties or classes of uses in the same zone. The possibility of increased financial return shall not of itself be deemed sufficient to warrant the granting of a variance.
- (C) Such variance, if granted, will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public interest.
- (D) The condition or situation of the property or the intended use thereof is not of so general or recurrent a nature as to make reasonably practicable a general regulation for such condition or situation.

In addition to the above standards, the ZBA will consider whether the practical difficulty or unnecessary hardship was self-created by the applicant or the applicant's predecessor.

NOTE: The applicant or a representative is required to be present at the public hearing. The applicant will be notified as to the date and time.



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION FEE: \$250.00 + ESCROW FEE

(Escrow fees cover additional Township expenses. Unused portion of an escrow account is returned to the applicant)

PROCEDURE:

Name of Applicant: _____

Address of Applicant: _____

Home Telephone: _____ Business Telephone: _____

Property Location: _____

Permanent Parcel Number: _____

Subdivision: _____ Lot Number: _____

Parcel Size: _____ Current Zoning of Property: _____

Existing Use of Property and/or Structure: _____

Proposed Use of Property and/or Structure: _____

NOTE: A survey of the property documenting accurate measurements must be provided. Should a variance be granted, the applicant must survey and stake the lot and any proposed buildings or structures to be constructed on it. In addition, the applicant may be required to post a performance bond or other performance guarantee in an amount to be determined by the Zoning Board of Appeals.

VARIANCE REQUEST:

Section(s) of the Robinson Township Zoning Ordinance from which relief is sought:

Reason for seeking variance: _____

NOTE: The applicant must attach a site plan showing the dimensions of the property, setbacks to front, rear and side lot lines, the location and dimensions of all existing buildings and structures, any proposed buildings or structures, the location of any driveways or easements, the area of the property where the variance is being sought and such other information as may be required.

I agree to authorize members of the Zoning Board of Appeals and representatives from the Zoning or Building Department to enter my property in order to review the particulars of my request.

Date

Applicant's Signature