



## Zoning Board of Appeals Applicant Information

Please read all information before completing the application.

A variance is permission to deviate from the requirements of the zoning ordinance. **It is the responsibility of the applicant to convince the Zoning Board of Appeals (ZBA) to grant a variance.** The Appeal Guidelines section of the application along with the criteria listed below will be used to help the ZBA determine if your request for a variance can be granted. In addition be sure to provide drawings, maps, letters from neighbors and any other pertinent information that would help explain/support your need for being granted a variance. The ZBA will judge whether or not the information provided by the applicant, public comments, field investigations, staff reports and other data gathered is applicable and factual, to the case under consideration.

### **Finding of Facts:**

1. Would granting of the variance impair the intent and purpose of the ordinance?
2. If this variance is granted would you/the applicant receive a privilege not available to other property owners?
3. Is the property unique in size, shape, and elevations?
4. Could the problem be considered self-generated?
5. Are there other alternatives that would allow you to abide by the current ordinance(s)?
6. Are the current regulations unreasonably restrictive?
7. Would conformity with the code(s) be unreasonably burdensome?

### **Use Variance Standards (Hardship):**

1. The property could not be used for a purpose which is permitted in the zone district without the variance.
2. The variance is needed due to unique circumstances peculiar to the property and not to the general neighborhood conditions.
3. The proposed use would not alter the essential character (safety and/or privacy) of the area.
4. The problem is self-generated, an alternative exists that would not require a variance.

### **Non-use Variance Standards (Practical Difficulty):**

1. Strict compliance with the restrictions governing area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted use, or the conformity with the ordinance would be unreasonably burdensome.
2. Granting a variance would do substantial justice to the applicant, as well as to the other property owners in the township, or whether a lesser relaxation of the restrictions would be more consistent with justice to other property owners.
3. The plight of the applicant is due to unique circumstance of the property and not to the general neighborhood conditions of the area.
4. The problem is not self-created.
5. Safety and privacy is not compromised by granting the variance.



## Zoning Board of Appeals Application

Egelston Township  
 5428 Apple Avenue  
 Muskegon, MI 49442

All sections of this form must be completed and associated maps/diagrams included.

### Business/Home Owner Information

### Contractor Information

Name	Name
Address	Address
City/State Zip	City/State Zip
Phone number including area code	Phone number including area code

### LOCATION OF PROPERTY FOR WHICH APPEAL IS REQUESTED

Address: \_\_\_\_\_

If within a subdivision, name of subdivision: \_\_\_\_\_

Property location for which approval is requested is located on the **N S E W** (circle one) side of  
 the road between \_\_\_\_\_ and \_\_\_\_\_ roads

Parcel(s) tax ID number(s): \_\_\_\_\_

Zoning designation of property: \_\_\_\_\_

Current use of property (circle one): Residential: **R1 R2 R3 R5** Commercial: **C1 C2** Industrial: **I1 I2**

State the Article(s) and Section(s) of the ordinance being appealed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

State the reason for the appeal. What are you attempting to do that the ordinance does not allow and why?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Appeal Guidelines:** Please respond to each of the following guidelines. These guidelines are used by the ZBA to determine if your request for a variance can be granted.

1. Explain why you cannot meet the requirements of the current ordinance.

2. Explain why the proposed variance involves exceptional and unique circumstances.

3. Will the proposed variance impair the adequate supply of light and air to adjacent property owners or will it increase congestion on neighboring streets? Yes No

4. Will the proposed variance increase the hazard of fire or flooding or endanger the public safety? Yes No

5. Explain how the proposed variance will not diminish or impair established property values within the surrounding area.

6. Explain how the proposed variance will not in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the Township.

7. Explain how the proposed variance will not alter the essential character of the neighborhood.

8. The spirit of the ordinance must be observed. Explain how your project upholds this statement.

**SKETCH**

A minimum of 7 (seven) copies of a clear sketch must accompany this application. This sketch must be a minimum of 8 ½" by 11" and must show the property dimensions, all buildings presently existing or proposed on the site, the size of all yard area, all structures within 50 feet of the property, the location and size of any other important property characteristics such as easements, power and gas lines on the property, septic fields, lakes, rivers, streams, flood plains, wetlands on or near the property and any other unique characteristics of this property.

**APPLICATIONS WITHOUT A SKETCH CANNOT BE ACCEPTED**

**PERMISSION TO ENTER PROPERTY (Optional)**

I/We herewith grant permission for members of the Egelston Township Zoning Board of Appeals, Zoning Administrator and Planner to enter my lot(s) / property for the purpose of investigating the scope and effect of this request.

\_\_\_\_\_ (Signature) \_\_\_\_\_ (Title) \_\_\_\_\_ (Date)

**Signature**

The aforestated information is true to the best of my knowledge:

\_\_\_\_\_ (Signature)

\_\_\_\_\_ (Printed Name)

**Township Use Only**

File Number: \_\_\_\_\_ Date Received: \_\_\_\_\_

Fee Paid: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

Application received by: \_\_\_\_\_ Date: \_\_\_\_\_