

PLAINFIELD CHARTER TOWNSHIP

6161 Belmont N.E. • Belmont, MI • 49306-0365

Kent County

Phone (616) 634-8466 • Fax (616) 364-6537

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ZONING BOARD OF APPEALS INFORMATION AND APPLICATION FORM

WHEN TO APPLY

The Board of Appeals holds regular meetings on the third Tuesday of each month. The deadline for filing an application is three weeks prior to the meeting date. Meetings are limited and applications are accepted (old and new business combined) on a first come first serve basis. A special meeting may be called dependent upon the availability of the Board.

WHERE TO APPLY

The appeal to the Zoning Board of Appeals should be filed with the Planning Department at Plainfield Charter Township Hall, 6161 Belmont Ave., Belmont, MI 49306-0365.

WHAT IS THE PROCESS

Staff will prepare the agenda and have it available prior to the meeting. Included (if any) within the agenda will be the staff recommendation(s) for each application, which can be copied and reviewed by the applicant.

In preparing your application and presentation, please ensure that the following is available so that your request can be promptly and properly considered:

1. **PROPERTY MUST BE STAKED** to show the extent of building modifications or alterations or, in the case of new construction, the location of the proposed building on the property. (Check applicable option)
 Property is staked
 Staking property is not necessary due the nature of the variance request.
2. **SITE MAP/SKETCHES OF THE PROPERTY/STRUCTURE** including site layout. Please use the following checklist for preparation of your site plan:
 Scaled on 8 1/2" by 11" (graph) paper.
 An arrow indicating North.
 The location and size of all existing and proposed structures.

- The distance from the property lines and between proposed and existing structures (where relevant to the application).
- The location of all drives, maneuvering lanes and parking layouts (parking layouts are generally not necessary for single family dwelling/accessory building applications).
- The dimensions of all lot and property lines showing the relationship of subject property to abutting property and structures.
- Show right-of-way widths of all abutting streets, private roads and alleys.
- Where relevant the location of any wells, floodplains, septic tank and septic field location, easements, relevant topographical features.
- Building elevations and floor plans to include proposed structure and if applicable the existing structure that it is being added on to.

Signs (In addition to the above information)

- The location, size, dimensions and height of existing signs.
- The location, size, dimensions, and height of proposed signs.
- Diagram of the sign(s) and elevation view.

3. STATEMENT OF PRACTICAL DIFFICULTY/UNNECESSARY HARDSHIP

GENERAL INFORMATION - In the opinion of the applicant, the statement of reason for the request/practical difficulty/unnecessary hardship will include the reasons whereby the Board should grant the appeal.

To prove that a practical difficulty exists, an applicant must meet the following conditions:

- 1.) The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. (The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.)
- 2.) Unique or extraordinary circumstance(s) or conditions exist concerning the property, which do not generally apply to other properties in the same zoning district.
- 3.) The variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance of the public interest.
- 4.) The problem is not self-created.

Reasons That May Justify an Appeal (Practical Difficulty/Unnecessary Hardship). The following is a list of situations for which an appeal may be approved. The list is not complete and other good reasons/situations may exist. Further, the listed situations do not always result in the appeal being granted. Each individual appeal is unique and considered on its own merits.

- 1.) Building configuration and/or vehicular access required carrying out a specific function on site, which cannot be accomplished within the regular

ordinance requirements. (This primarily relates to industrial and business uses)

- 2.) Unusual topographic conditions which interfere with functions on the site if these functions are located within the regular ordinance requirements.
- 3.) The shape of the piece of property is irregular, or in some way very different from surrounding properties.
- 4.) Preservation of unusual site contours and/or vegetation cannot be done within the ordinance requirements.
- 5.) Unusual relationship of property to adjoining sites, structures on adjoining sites, adjoining roads, nearby intersections, etc... which cannot be overcome within the ordinance requirements.
- 6.) Additional actions contemplated by the applicant to reduce any potential impacts on adjacent property.
- 7.) No other alternatives exist which meet ordinance requirements and relief from requirements is warranted.

4. **THE APPLICANT OR A REPRESENTATIVE MUST ATTEND** the Zoning Board of Appeals meeting at which the request will heard.

5. **REVIEW FEE:**

- A \$200.00 check payable to the Plainfield Charter Township
- A special meeting requires a check for \$400.00 payable to Plainfield Charter Township.

All applications must be adequately completed or the Board will not consider them. If you need assistance, please do not hesitate to contact the Plainfield Charter Township Planning Department.

ACTION OF THE BOARD

Approval of a variance requires the affirmative vote of three members of the Board and not just a majority of those members present at the hearing. If, therefore, at the time of the hearing, an applicant believes that the presence of only three or four of the members may not provide a fair decision, the applicant can request that action be postponed until a full five (5) member board is present. The Zoning Board shall not conduct appeals business unless a majority of the members are present. The Zoning Board may wholly or partly reverse, affirm or modify a decision, and to that end shall have all the powers of the officer or body from which the appeal was taken and may issue or direct the issuance of a permit. The Zoning Board may also impose conditions with an affirmative decision. The Zoning Board of Appeals shall decide all applications and appeals within 30 days after the final hearing. A copy of the decision shall be transmitted to the applicant or appellants.

DURATION OF APPROVAL

- Decisions of the Zoning Board of Appeals are final. Further appeal of a Board of Appeals decisions is permitted only through Circuit Court.
- Any variance that has been granted will expire one (1) year after the date of approval, unless the action/construction authorized by the variance has commenced.

ZONING VARIANCE APPLICATION

PLAINFIELD CHARTER TOWNSHIP

For Office Use Only

Filing Date _____ Parcel ID Number _____

Date of Zoning Board of Appeals Meeting: _____

Result of the Boards Decision: Granted/Denied Paid Yes/No

1. **APPLICANT (S) INFORMATION**

Name(s) _____ Phone _____

Address _____

Representative(s)

Name(s): _____ Phone _____

Address _____

Owner of Property (if different)

Name(s) _____ Phone _____

Address _____

2. **ADDRESS OF SUBJECT PROPERTY:** _____

Existing Zoning: _____

Current Use of Property: _____

3. **TYPE OF APPEAL**

Variance Interpretation Appeal

Description of Variance Request

Setback Sign Screening Lot Size, Width or Access

Other Please Describe _____

Section(s) of the Ordinance relating to the request:

a. _____

b. _____

c. _____

4. **STATE NATURE OF APPEAL** _____

5. **STATE PRACTICAL DIFFICULTY** _____

Date property will be staked if necessary: _____

ADVISORY STATEMENT/RIGHT OF ENTRY

I hereby attest that the information on this form is, to the best of my knowledge, true and accurate. I hereby grant permission for members of the Township Zoning Board of Appeals and Township staff to enter the subject property for the purpose of viewing site and gathering information related to this request.

Property Owner's Signature _____ Date _____

Applicants' Signature _____ Date _____

Tips for A Successful Variance Application

1. Determine if you really need the variance or you just want one.
2. Talk to the Staff at the Planning and Building Departments and review alternatives.
3. When you file your application, take time in stating specifically what your hardship is and why the ordinance appears to unfairly affect you.
4. Avoid, if possible, submitting new information to the Zoning Board of Appeals during the hearing.
5. If you cannot submit documentation until the hearing itself, consider an adjournment until the next scheduled meeting.
6. The Zoning Board of Appeals members will probably inspect the site before the hearing, **clean up** the property/site before inspection. (If necessary, the Board can attach a condition to an approved variance that nuisances such as junk, trash and debris be addressed).
7. Talk to your neighbors about your variance.
8. If you get your neighbors support get a brief, concise written statement and submit it to the Planning Department or have them appear at the hearing.
9. If you expect opposition, examine the Planning Department files a day or two before the hearing any written opposition will be on file.
10. Listen to the Zoning Board of Appeals members; both their questions and discussion may be an attempt to steer you to a compromise.
11. Dress appropriately.
12. Be concise and have your presentation prepared/rehearsed prior to the meeting.

ZONING VARIANCE APPLICATION

This application must be accompanied by the filing fee of \$200.00

Please read the entire application before completing any of the forms.

You, or your representative, must be present at the meeting in order for the Board of Appeals to take action.

No request will be considered if adequate information does not accompany the application.

The regular meeting of the Board of Appeals is held on the third Tuesday of the month. The application and all supporting documents must be received not later than 21 days prior to the meeting.

Members of the Board of Appeals often visit the property to familiarize themselves with the application. Please make sure the property has an address in a location where it is readily visible. When the variance is for a building or a building addition, please mark the location of the proposed structure with stakes, colored tape, or some other method so the members of the Board can see where the building or addition will actually be.

Return this application and all required information to:

**Plainfield Township Planning Department
6161 Belmont Avenue, NE
Belmont, MI 49306**

Telephone (616) 364-8466

Revised 3/10/08

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