

Long Lake Township

8870 North Long Lake Road, Traverse City, MI 49684

231.946.2249 Fax 231.946.4573

A completed application must be submitted 45 days prior to the Zoning Board of Appeals meeting.

Property:

Address: _____

Property Number: 28-08-____ - ____ - ____

Subdivision: _____ Lot Number: _____ Section: _____

Zoning District: _____ Current Use: _____

Property Owner:

Owner Name: _____

Owner Address: _____

Phone Number: _____

Applicant (if different than property owner):

Applicant Name: _____

Applicant Address: _____

Phone Number: _____

Variance Request:

Type of Variance: _____

Purpose of Variance: _____

Variance from what section(s) of the Zoning Ordinance: _____

Amount of Variance Requested: _____

Standards of Approval:

From Section 24.3 of the Long Lake Township Zoning Ordinance, #109, as amended.

3. **Dimensional Variances.** The Zoning Board of Appeals shall have the power to authorize dimensional variances from site development requirements such as lot area and lot width, building height and bulk regulations, yard width and depth requirements, off-street parking and loading requirements, sign landscape requirements, and other similar requirements of this Ordinance.
 - a. Approval Criteria. To obtain a dimensional variance, the applicant must demonstrate that a practical difficulty exists by showing:
 - 1) That the need for the variance is due to unique circumstances or physical conditions, such as narrowness, shallowness, shape, water or topography, of the property involved and that the practical difficulty is not due to the applicant's personal or economic hardship.
 - 2) That the need for the variance is not the result of actions of the property owner (self-created) or previous property owners.
 - 3) That strict compliance with area, setback, frontage, height, bulk, density or other dimension requirement will unreasonably prevent the property owner from using the property for permitted purpose, or will render conformity with those regulations unnecessarily burdensome. (Because a property owner may incur additional costs in complying with this Ordinance does not automatically make compliance unnecessarily burdensome.)
 - 4) That the variance will do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
 - 5) That the variance will not cause adverse impacts on surrounding property, property values, or the use and enjoyment of property in the neighborhood.
 - 6) That the variance shall not permit the establishment within a district any use which is not permitted by right, or any use for which a conditional use or temporary use permit is required.
 - b. Conditions. The Zoning Board of Appeals may impose conditions upon a dimensional variance approval. The conditions may include those necessary to protect the natural environment and conserve natural resources, to ensure compatibility with adjacent land uses, and to promote the use of land in a socially and economically desirable manner. Conditions imposed upon a dimensional variance approval shall be stated in the record or order and shall remain unchanged except upon application to the Zoning Board of Appeals and the property owner. Similarly, any changes in conditions shall be reflected in the record or order.

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- c. Effect of Approval. The dimensional variance shall expire at the end of twelve (12) months, unless a land use permit for authorizing the construction has been obtained and substantial construction has started and proceeds to completion in accordance with the terms of the land use permit.
- d. Recording Requirement. The Zoning Administrator may require that the applicant record an affidavit of the variance with the County Register of Deeds. This filing and any associated fees shall be the responsibility of the applicant.

Submission Requirements:

In addition to a completed application the following items must be included when submitting your variance request:

-Cover Letter addressed to the Zoning Board of Appeals

-Site Plan (from ZBA By-Laws and Rules of Procedure):

- a. A drawing shall be submitted reflecting accurate dimensions of the property, locations on the property of structures and locations of buildings on adjacent properties. Where pertinent, the Board may request a survey, with the above information which shall be performed by a registered land surveyor.
- b. Drawings in general shall provide a clear picture of those factors important to the appeal or petition so the Board can make a factual determination.

-Variance Request (Separate sheet of paper): include a statement of what the variance(s) requested is and a statement of the reason(s) for the variance requested

-Approval Criteria (Separate sheet of paper): The applicant must address the approval criteria 1 through 6 listed above.

Questions for the applicant to consider related to the approval criteria:

1. What circumstances or physical conditions of your property are unique (such as narrowness, shallowness, shape, water, or topography) which cause you to need the requested variance? Please describe in detail
2. Have you or any prior owners of your property done anything to your property (after the enactment of the Zoning Ordinance on May 8, 1979, as amended, to cause you to need the requested variance? If so, please describe in detail

In addition, can your proposed plans be reasonably changed to eliminate the need for the requested variance? If not, please explain in detail

3. Will strict, compliance with the zoning regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements unreasonably prevent you from using your property for a use allowed under the Zoning Ordinance? If so, please explain in detail

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- 4. Is the variance you have requested the smallest variance needed to allow you to reasonably develop your property as proposed, or would a lesser variance allow you to reasonably develop your property as proposed, while at the same time better protecting the interests of other property owners? If so, please explain in detail
- 5. Will the requested variance cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood? If not, please explain in detail
- 6. Will the requested variance permit the establishment of a use within a zoning district that is not permitted by right within that district?

Will the requested variance permit the establishment of a use within a zoning district that requires a conditional use permit or a temporary use permit?

I hereby grant permission for the members of the Long Lake Township Zoning Board of Appeals and Township Staff to enter the above described property for the purposes of gathering information related to this application. (Note to Applicant: This is optional but allows for a better understanding of the case)

_____ Date: _____
 (Signature of Property Owner)

I agree that the statements made above are true, and if found not to be true, this application and any approval will be void. Further, I agree to comply with the conditions and regulations provided by the Long Lake Township Zoning Ordinance #109, as amended, and any conditions set forth by the decisions of the Long Lake Township Zoning Board of Appeals.

_____ Date: _____
 (Signature of Property Owner **Required**)

_____ Date: _____
 (Signature of Applicant, if different)

OFFICE USE:

Date Received: _____ Hearing Date: _____

Approved _____ Approved with Conditions _____ Denied _____

Fee Received: Amount _____ Check Number _____ Cash _____