

**ZONING BOARD OF APPEALS
VARIANCE APPLICATION
Non-Use (Dimensional)**

City of White Cloud 12 N. Charles Street/P.O. Box 607 Phone 231-689-1194

Applicant Information:

Name(s) _____ Owner/Agent/Other Interest (circle one)
Address _____
Phone _____ Email Address _____

Property Owner Information: (if different from applicant)

Name(s) _____
Address _____
Phone _____ Email address _____

Property/Appeal Information:

Address/Location _____
Property Tax ID Number _____
Current Zoning of the property _____ Current Use of the property _____
Current Use of area properties _____
What part of the ordinance are you appealing? Chapter _____ Section _____ Subsection _____
Describe your request and what you wish to board to find: _____

Required attachments:

- Legal Description
- Registered Deed
- Site drawing of the property (including approximate property lines, locations of all buildings/structures, easements or public right of way, driveways, and bodies of water, creeks, ponds etc. with property boundaries)

The Zoning Board of Appeals shall not grant a non-use (dimensional) variance unless it finds all criteria from Chapter 17, Section 17.07 A. Non-Use (Dimensional) Variance, Items 1-7 are met. State in detail how you believe you satisfy each of these criteria (see questions below) for a non-use variance. Additional information may be submitted; however, all questions must be answered completely.

If additional space is needed, number and attach additional sheets: Number of attached sheets: _____

1. That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district.

2. That the condition or situation of the specific piece of property for which the variance is sought and not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situations.

3. That 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.

4. The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.

5. The variance will not impair the intent and purpose of the City of White Cloud Zoning Ordinance.

6. That the immediate practical difficulty causing the need for the variance request was not created by any affirmative action of the applicant or the applicant's predecessors in title.

7. That the reasons set forth in the application justifies the granting of the variance and that the variance is the minimum variance necessary.

The ZBA may authorize variances from the terms of the Zoning Ordinance where, owing to special conditions related to the applicant's property, a literal enforcement of the provisions of the Zoning Ordinance would result in a practical difficulty to the applicant. A variance shall not be granted by the ZBA unless they find that all of the standards as stated in Section 17.07 A. items 1-7 are met.

The ZBA shall fix a reasonable time for the hearing of the interpretation/appeal, and give due notice to the applicant and all property owners and occupants within three hundred (300) feet of the subject property via a letter sent first class mail not less than fifteen (15) days before the public hearing the time and place of the hearing. Any party may appear in person or by agent. A public hearing notice shall also be published in a newspaper of general circulation not less than fifteen (15) days before the public hearing.

AFFIDAVIT

I acknowledge that if a variance is granted the decision does not relieve me from compliance with all other laws and requirements. I affirm that I am involved in this application and that the answers and statements herein contained and the information provided is true, accurate and correct. I understand that if it is not, this application and any approvals are void. I hereby give city officials permission to inspect the property to verify information and to verify compliance with rules and conditions. I also agree that I am able, financially, legally and physically, and I will commence this use, as approved, within twelve (12) months.

Applicant(s) Signature(s)

Date

Applicant(s) Signature(s)

Date

Authorized Agent/Representative Signature(s)

Date

**Must provide/attach authorization letter