

# ZONING BOARD OF APPEALS USE VARIANCE APPLICATION

City of White Cloud  
12 N. Charles Street/P.O. Box 607  
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 Information:

Address/Location \_\_\_\_\_

Property Tax ID Number \_\_\_\_\_

Current Zoning District \_\_\_\_\_ Current Use of the property \_\_\_\_\_

Requested Use of Property \_\_\_\_\_ Master Plan Future Land Use \_\_\_\_\_

## 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 use variance unless it finds all criteria from Chapter 17, Section 17.07 B. Use Variance, Items 1-9 are met. State in detail how you believe you satisfy each of these criteria (see questions below) for a use variance. All criteria must be met in order to receive a 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. The variance request, if granted, will be the minimum variance (i.e., the least variation or change from the particular requirement of the Ordinance involved) that will make possible the reasonable use of the land, structure, or building involved.

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2. The granting of the variance will not be injurious or detrimental to neighboring properties or residents.

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3. The variance will not be detrimental to the public welfare or change the essential character of the neighborhood.

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4. The variance will not impair the intent or purpose of this Ordinance.

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5. The problem or condition for which the variance is requested is not a self- created problem by the applicant or property owner (or their predecessors in title) as to the property involved.

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6. The condition or situation involved is not of so general or recurrent a nature that it would be more reasonable or practical for the City to amend the provision of the Ordinance involved rather than to grant a variance for the condition or situation.

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7. There are exceptional, unique, or extraordinary physical conditions or circumstances which directly relate to the property itself (including the land or a structure or building there on) rather than the individual situation or desire of the applicant or property owner. In other words, the problem or exception or extraordinary circumstances or conditions must be inherent in the land, structure, or building involved.

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8. The variance must be necessary for the preservation and enjoyment of a substantial property right which is similar to that possessed by other properties in the same zoning district and vicinity. (NOTE: possible increased financial return shall not, of itself, be deemed sufficient to warrant a use variance.)

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9. As specified above, the ZBA must also find that unnecessary hardship will occur if a use variance is not granted?

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No use variance shall be granted unless at least two-thirds (2/3) of all members of the ZBA vote in favor of such use variance. Furthermore, before the members of the ZBA may vote on a given use variance request, the matter shall be referred to the Planning Commission. The Planning Commission shall be asked for its recommendation regarding the proposed use variance request. The ZBA may take final action regarding such a use variance request once the Planning Commission has forwarded its recommendation on the particular use variance request to the ZBA or 45 days has elapsed since the referral to the Planning Commission, whichever occurs first.

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)  
\*\*Must provide/attach authorization letter

\_\_\_\_\_  
Date

THE CITY OF

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WHITE CLOUD  
A TRAIL FOR EVERY SEASON

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MICHIGAN