

BOARD OF ZONING APPEALS (ZBA) APPLICATION

For Variance

C

DATE _____

1. Petitioner's Information

Name _____	Address _____
City _____	MI, Zip Code _____ Phone # _____
Email _____	
<i>*Petitioner must be able to submit additional proof of ownership documentation, ex: title copy, tax bill, etc.</i>	

2. Property Owner (if different than Petitioner)

Name _____	Address _____
City _____	MI, Zip Code _____ Phone # _____
Email _____	

3. Property Information

Property Address _____		
Current Use _____		
Zoning District _____		
Tax ID _____		
Yard Setbacks:	Existing	Proposed
Front:	_____	_____
Side:	_____	_____
Side:	_____	_____
Rear:	_____	_____
Area of Lot (acres / square feet) _____		
Dimensions of Lot _____		
Existing Lot Coverage (%) _____		
Proposed Structures _____		
Proposed Lot Coverage (%) _____		



Charter Township of Royal Oak

21131 Gardenlane, 2nd Floor | Ferndale, MI 48220 | 248.547.9800

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4. Summary of Request

Check the type of request you are applying for (*if you are uncertain, contact the Township*):

_____ Non-Use or Dimensional Variance

_____ Substitution of a Non-conforming Use

Briefly Describe Request:

VARIANCE APPLICATION

If you are applying for a substitution of a non-conforming use, please jump to Page 7.

5. Criteria for all Variance Requests

The applicant must demonstrate all of the following criteria in order to obtain a variance. Please answer each of the following to complete the application.

1. Practical difficulties.

Compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would create practical difficulties, unreasonably prevent the use of the property for a permitted purpose, or render conformity with such restrictions unnecessarily burdensome. The showing of mere inconvenience is insufficient to justify a variance.



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2. Substantial justice.

Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district; or, as an alternative, granting of lesser variance than requested would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

3. Public safety and welfare.

The requested variance or appeal can be granted in such fashion that the spirit of this chapter will be observed and public safety and welfare secured.

4. Extraordinary circumstances.

There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties or other similar uses in the same zoning district. The conditions resulting in a variance request cannot be self-created.



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5. Preservation of property rights.

A variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same zoning district.

6. No safety hazard.

The granting of a variance or appeal will not increase the hazard of fire or otherwise endanger public safety.

7. No impact on land values.

The granting of a variance or appeal will not unreasonably diminish or impair the value of surrounding properties.

8. Neighborhood character.

The granting of a variance or appeal will not alter the essential character of the neighborhood.



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9. **Light, and air.**

The granting of a variance or appeal will not impair the adequate supply of light and air to adjacent property.

10. **Promotes orderly development.**

The size, character and location of a development permitted after granting of a variance shall be in harmony with the surrounding land use and shall promote orderly development in the zoning district in which it is located.

11. **Traffic flow.**

A development permitted upon granting of a variance shall make vehicular and pedestrian traffic no more hazardous than is normal for the district in which it is located, taking into consideration vehicular turning movements, adequacy of sight lines for drivers, location and accessibility of off-street parking, provisions for pedestrian traffic, and measures to reduce contact between pedestrian and vehicular traffic.



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12. No nuisance impacts.

A development permitted upon granting of a variance shall be designed so as to eliminate any dust, noise, fumes, vibration, smoke, lights, or other undesirable impacts on surrounding properties.

13. Impact on adjacent properties.

The location, design, and height of buildings, structures, fences, or landscaping permitted upon granting of a variance shall not interfere with or discourage the appropriate development, continued use, or value of adjacent land or buildings.

14. Relationship to adjacent land uses.

The development permitted upon granting of a variance shall relate harmoniously in a physical and economic sense with adjacent land uses. In evaluating this criterion, consideration shall be given to prevailing shopping patterns, convenience of access for patrons, continuity of development, and the need for particular services and facilities in specific areas of the township.



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BOARD OF ZONING APPEALS (ZBA) SUBSTITUTION OF NON-CONFORMING USE APPLICATION

6. Criteria for all Substitution Requests

The applicant must demonstrate all of the following criteria in order to obtain a substitution of a non-conforming use. Please answer each of the following to complete the application:

1. No Structural Alterations.

No structural alterations shall be required to accommodate the new nonconforming use.

2. Equally Suitable Use.

The proposed use shall be equally or more appropriate in the district than the existing nonconformity.



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RULES AND PROCEDURES

For variances, a sketch drawn to scale depicting the above information shall accompany this application. The sketch must also indicate the property boundary dimensions, all structures within fifty (50) feet of your property, and all other notable information such as easements, septic fields, surrounding zoning, etc. APPLICATIONS WITHOUT A SKETCH SHALL NOT BE ACCEPTED.

The applicant shall appear in their own behalf or by representation at the Zoning Board of Appeals meeting. Failure to do so shall be sufficient cause for dismissal of the petition.

This application must be submitted (including attachments) in six (6) duplicate copies with payment in full (see Township fee schedule for residential / commercial fees).

All supporting data must be attached to the application, including required plans. Upon submittal, if all required items are not provided, the application will not be accepted.

I hereby dispose and say that all the above statements contained in the papers submitted herewith are true and correct.

Applicant's Signature

Date

Do not write below this line, for use by the Township:

Hearing Date _____

Disposition or Action by Property Maintenance Code Board of Appeals:



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