

APPLICATION – ZONING BOARD OF APPEALS

City of Mason

Planning Department • 201 W. Ash Street • Mason, MI 48854

Phone: 517/676-9155 • Fax: 517/676-1330

www.mason.mi.us



Applicant– Please check one of the following:	
<input type="checkbox"/>	Variance
<input type="checkbox"/>	Appeal of Administrative Decision
<input type="checkbox"/>	Interpretation of Ordinance Text
<input type="checkbox"/>	Zoning District Boundary Interpretation
<input type="checkbox"/>	Temporary Permit

<u>PLANNING DEPARTMENT USE ONLY</u>
Application Received: _____
Tax ID: _____
Fee: _____
Receipt #: _____

I. APPLICANT INFORMATION

Name _____

Organization _____

Address _____

Telephone Number _____ Facsimile Number _____

Interest in Property (owner, tenant, option, etc.) _____

Note: If applicant is anyone other than owner, request must be accompanied by a signed letter of authorization from the owner

II. PROPERTY INFORMATION

Owner _____ Telephone Number _____

Property Address _____

Legal Description: If in a Subdivision: Subdivision Name _____ Lot Number _____

If Metes and Bounds (can be provided on separate sheet): _____

APPLICANT CERTIFICATION

By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant to City officials a right of entry for the purpose of inspecting the premises to verify compliance with conditions precedent to issuing Zoning Board of Appeals approval.

Signature _____ Date _____

III. REQUEST DESCRIPTION

Please use this section to describe your request. Feel free to include additional pages and/or drawings, maps, photographs, and other documentation that might aid the Zoning Board of Appeals in its determination.

- **Variations:** fill in the appropriate boxes in the following table, as shown in the EXAMPLE, and use the blank lines that follow the table to provide a detailed description and reasons for the variance. The Board of Appeals will review a request for variance subject to the standards listed in Sections 94-365(c) and (d) of the Mason Code. Your written response should address these standards.
- **All other requests:** please describe your request in complete detail using the blank lines. Requests are reviewed under the standards listed in Article XI of Chapter 94, Zoning, of the Mason Code. Your written response should address the appropriate standards.

A. Variance Table

	Variance Type	Ordinance Requirement	Applicant Proposal*	Variance Request = (Requirement – Proposal)
X	Rear Setback – EXAMPLE –	45 feet	43 feet	
	Front Setback			
	Side Setback			
	Rear Setback			
	Height			
	Lot Coverage			
	Lot Size			
	Parking Spaces			
	Other (describe):			

* Example: If the ordinance requires a rear yard setback of 45 feet, and you propose an addition that would be 43 feet from the rear property line, you would write or type “43 feet” under “Applicant Proposal.”

B. Written Description (Attach additional pages, if necessary)

IV. APPLICATION MATERIALS

The following information must be submitted with this completed application form:

1. **Variations:** Variance requests must be accompanied by a basic site plan drawn to a readable scale showing the location of property lines, existing and proposed structures and parking areas, setback dimensions from property lines and other buildings, easements, existing roads, utility connections, floodplain and topography (where it has a bearing on the request), and any other information necessary to adequately show the nature of the request.

Applications must satisfy the following criteria pursuant to Section 94-365(c) in order to be granted a variance:

- (1) **The variance must be granted in order to avoid practical difficulties not created by the applicant that would result from strict application of the letter of this chapter.**
 - (2) **A variance will not permit the establishment within a zoning district of any use not permitted within the district.**
 - (3) **A variance will not cause a substantial adverse effect to property or improvements in the zoning district and the immediately surrounding neighborhood.**
 - (4) **A variance will not be contrary to the public interest and will insure that the spirit and intent of this chapter will be observed, public safety secured, and substantial justice done.**
 - (5) **There is no lesser variance than that applied for which would give substantial relief to the applicant.**
3. **All** requests must be accompanied by a fee, as established by City Council. The fee for requests to the Zoning Board of Appeals is \$250.00.
 4. **All** requests must be accompanied by any additional information deemed necessary by the Planning Department Staff.
 5. Feel free to include written descriptions, elevation or other drawings, maps, photographs, and/or any other documentation that might aid the Board of Appeals in making a determination. Applicants are encouraged to review Article XI of Chapter 94, Zoning, of the Mason Code, which describes the procedures and standards that the Board of Appeals will use to evaluate a request.
 6. **Deferment by applicant:** The ZBA shall defer all proceedings upon the request of the applicant when less than six members of the ZBA are present for consideration of and voting on an appeal or variance. The right of deferment shall be considered waived by the applicant if deferment is not requested immediately upon the opening of the hearing on the matter.

Note: The applicant must submit 13 copies of any documents that are larger than 11" by 17".

V. APPLICATION DEADLINES

Regular meetings of the Zoning Board of Appeals are held on the second Wednesday of every month, at 5:30 p.m. To be placed on the meeting agenda, all Application Materials must be received at least 4 weeks in advance of the meeting. **The Board of Appeals will not take action on the request unless the applicant or his/her duly authorized representative is present at the public hearing.**

VI. STAFF REPORT

The Planning Department Staff will prepare a report to the Zoning Board of Appeals regarding your request. The report will explain the request to the Board and review whether it complies with the standards in the Zoning Ordinance. Staff will present the findings of that report during the Zoning Board of Appeals meeting. An applicant who wishes to obtain one (1) copy of that report, at no cost, prior to the meeting must provide a written request to the Planning Department. The report is generally complete on the Friday before the meeting and can be mailed to the applicant or picked up by the applicant in the Planning Department.