

**TOWNSHIP OF SALINE
ZONING BOARD OF APPEALS APPLICATION**

Date of Application: _____

1. Applicant Information:

Applicant Name _____

Street Address or P.O. Box No. _____

City/State/Zip _____

Telephone: Home: _____ Work: _____

____ Individual Person ____ Firm ____ Corporation

If a business, please describe: _____

2. Property Information:

Property Owner(s) _____

Property Address _____

Property Tax ID No. _____ Zoning District(s) _____

Property location by nearest crossroads _____

Attachments:

1. If the applicant is not the owner of record, attach a signed statement from the owner(s) of record that the applicant is acting on the owner's behalf, and include the name, address, and phone number of all owner(s) of record.
2. Attach a legal description of the subject parcel(s).
3. Attach a plot plan or accurate sketch of the subject property showing all property lines, dimensions, bearings or angles correlated with the legal description; all existing and proposed structures and uses on premises; dimensions of such structures and distance or setback measurements from other structures and lot boundaries; lot area; and any other information relevant to the request.

Current use of the subject property: _____

3. Requested Action: (Check one)

_____ **Variance or Sign Exception**
(please complete sections 4 and 7 on the following pages)

_____ **Interpretation of the Zoning Ordinance or Official Zoning Map**
(please complete sections 5 and 7 on the following pages)

_____ **Appeal of an Administrative Decision or Action**
(please complete sections 6 and 7 on the following pages)

4. Variance or Sign Exception:

List the Ordinance Section(s) and specific subsection(s) that are the subject of the variance or sign exception request:

Attachments:

1. Attach a detailed statement describing the nature of and reasons for the requested variance(s) or sign exception(s).
2. For a variance request, attach a statement demonstrating how the request satisfies the criteria for the granting of a variance, as listed in Section 17.07 (Variances) of the Zoning Ordinance.
3. For a sign exception, attach a statement demonstrating how the request satisfies the criteria for granting an exception to the sign regulations per Section 9.12 (Exceptions) of the Zoning Ordinance.
4. Any other information requested by the Zoning Board of Appeals, and any additional information that the applicant believes will assist the Board in reaching an equitable decision.

5. Interpretation of the Zoning Ordinance or Official Zoning Map:

List the Ordinance Section(s) and/or specific zoning district(s) and locations on the Official Zoning Map that are the subject of the request for interpretation:

Attachments:

1. Attach a detailed statement describing the nature of the problem, ambiguity, or conflict that has created the need for an interpretation by the Zoning Board of Appeals.
2. Any other information requested by the Zoning Board of Appeals, and any additional information that the applicant believes will assist the Board in reaching an equitable decision.

6. Appeal of an Administrative Decision or Action:

List the Ordinance Section(s) and specific subsection(s) that are the subject of the administrative decision or action on appeal:

Attachments:

1. Attach a detailed statement describing the nature of and reasons for the appeal.
2. Attach a copy of any written record of the administrative decision or action received by the applicant (such as the Zoning Inspector letter of denial or Planning Commission meeting minutes).
3. Any other information requested by the Zoning Board of Appeals, and any additional information that the applicant believes will assist the Board in reaching an equitable decision.

7. Certification:

The applicant agrees and certifies that the information supplied as part of this application is accurate and true, including additional material submitted to the Zoning Board or Appeals prior to a final decision on the request. The applicant also agrees to permit a physical on-site visit on the subject property by members of the Zoning Board of Appeals prior to the public meeting where the request will be considered.

Applicant's Signature

Date

Applicant's Signature

Date

Applicant's Signature

Date

NOTES:

FOR OFFICE USE ONLY

Required Fee: \$ _____ **Date Received by the Township:** _____

Application Received by: _____
Name Position

Date Received by the Township: _____

Section 9.12 Exceptions.

The Zoning Board of Appeals (ZBA) shall have the authority to grant an exception from the strict application of these regulations in accordance with the following procedures and standards:

A. Applications and Review Procedures.

Any party who has been denied a permit for a proposed sign may file a request for an exception to this Article with the ZBA within 21 calendar days of the decision. Applications for exceptions from provisions of this Article shall be submitted and reviewed in accordance with Section 17.04 (Hearings and Decisions), and the following:

B. Exception Standards for Signs.

The ZBA shall consider the following exception standards, the intent and purposes of this Article, and any other factors deemed relevant in determining whether to grant an exception to particular requirements of this Article:

1. **Obstructions.** Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger public health or safety.
2. **Visibility.** A conforming sign would be blocked from the sight of passing motorists due to existing buildings, trees or other obstructions.
3. **Site features.** Construction of a conforming sign would require significant tree removal or extensive topographic changes.
4. **Aesthetics.** The exception shall not adversely impact the character or appearance of the building or lot, the surrounding area, and the zoning district.
5. **Intent.** The exception shall not impair the intent and purposes of this Article.
6. **Minimum necessary action.** The exception shall be the minimum necessary to allow reasonable use, visibility, or readability of the sign.

Section 17.07 Variances.

The Zoning Board of Appeals shall have the authority to grant variances from particular area, setback, frontage, height, bulk, density or other dimensional (non-use) standards of this Ordinance in accordance with the Michigan Zoning Enabling Act and the provisions of this Article. The ZBA shall state the findings of fact and conclusions upon which it justifies the granting or denying of a variance, and may consider lesser variances than that requested by an applicant. In granting a variance, the ZBA may impose conditions or limitations as it may deem reasonable in furtherance of the intent and purposes of this Ordinance.

A. Criteria for Granting of a Variance.

To grant a variance, the ZBA shall determine that the request satisfies the following criteria:

1. **Practical difficulties.** Strict compliance with the specified dimensional standard(s) will deprive the applicant of rights commonly enjoyed by other property owners in the same zoning district, create an unnecessary burden on the applicant, or unreasonably prevent the owner from using the property for a permitted purpose.
2. **Substantial justice.** The variance will give substantial relief and justice to the applicant, consistent with justice to other property owners in the same district.
3. **Unique circumstances.** The need for the variance is due to unique circumstances peculiar to the land or structures involved, that are not applicable to other land or structures in the same district.
4. **Preservation of property rights.** The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same zoning district.
5. **Public safety and welfare.** The requested variance can be granted in such fashion that the spirit of this Ordinance will be observed and public safety and welfare secured.
6. **Not self-created.** The problem and resulting need for the variance has not been self-created by the applicant or the applicant's predecessors.
7. **More than mere inconvenience.** The alleged hardship and practical difficulties that will result from a failure to grant the variance include substantially more than mere inconvenience or an inability to attain a higher financial return.

B. Additional Considerations.

To ensure that the proposed variance is the minimum necessary to satisfy the criteria of Section 17.07A (Criteria for Granting of a Variance), the ZBA also shall consider all of the following:

1. The granting of a lesser variance will not give substantial relief and justice to the applicant, consistent with justice to other property owners in the same district.
2. The granting of a variance will not increase the hazard of fire or otherwise endanger public safety.
3. The granting of a variance will not unreasonably diminish or impair the value of surrounding properties.
4. The granting of a variance will not alter the essential character of the area or surrounding properties.
5. The granting of a variance will not impair the adequate supply of light and air to any adjacent property.