

DALTON TOWNSHIP
1616 E. RILEY THOMPSON RD.
MUSKEGON, MI 49445
231-766-3043

ZONING BOARD OF APPEALS APPLICATION

Fee: \$600.00 + Any Professional Fees

Case #: _____

Date Submitted: _____

Hearing Date: _____

Applicant's Name: _____

Applicant's Address: _____

Phone Number: _____

Email: _____

Owner's Name: _____

Owner's Address: _____

Phone Number: _____

Email: _____

Property Address/Parcel #/Legal Description:

If applicable, please attach 10 copies of the site plan.

Lot Size/Acres: _____

Zone District: _____

Land Use: _____

Purpose of Hearing: _____

I/We hereby permit, consent, and authorize the Township or its agents to enter properties described above for purposes of investigation and information gathering associated with this appeal application:

Signature: _____

Date: _____

Signature: _____

Date: _____

Zoning Board of Appeals

Applicant Information

A variance is permission to deviate from the requirements of the zoning ordinance. It is the responsibility of the applicant to convince the Zoning Board of Appeals to grant a variance by providing drawings, letters from neighbors, and pertinent information. All of the standards listed below must be found in the applicant's favor in order for the ZBA to grant a variance.

Dimensional Variance Standards:

If an applicant seeks a dimensional variance from the provisions or requirements of this Ordinance because of dimensional characteristics of a lot or parcel of land, or because of exceptional topographic or similar conditions of the land, buildings or structures, the applicant shall demonstrate through competent, material and substantial evidence on the record that all of the following requirements are satisfied:

- A. That the enforcement of the literal requirements of this Ordinance would involve practical difficulties.
- B. That special conditions or circumstances exist which are peculiar to the land, structures or buildings involved and which are not applicable to other lands, structures or buildings in the same zoning district.
- C. That literal interpretation of the provisions of this Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same zoning district.
- D. That the authorizing of such variance will not be of substantial detriment to other lands and uses and will not be contrary to the spirit and purpose of this Ordinance.

In approving a dimensional variance, the Board of Appeals may include such terms and conditions that the Board deems reasonably necessary to carry out the intent and purposes of this Ordinance and for the protection and advancement of the public interest.

Use Variance Standards:

If an applicant seeks a use variance from the provisions or requirements of this Ordinance, the applicant shall demonstrate, and the Board of Appeals shall make findings based upon competent, material and substantial evidence on the whole record that all of the following requirements are satisfied:

- A. That the enforcement of the literal requirements of this Ordinance would cause unnecessary hardship.
- B. That special conditions or circumstances exist which are peculiar to the land, structures or buildings involved and which are not applicable to other lands, structures or buildings in the same zoning district.
- C. That literal interpretation of the provisions of this Ordinance would deprive the applicant of a substantial property right commonly enjoyed by other properties in the same zoning district.
- D. That the authorizing of such variance will not be of substantial detriment to other lands and uses and will not be contrary to the spirit and purpose of this Ordinance.

A use variance shall be approved only by an affirmative majority vote of at least two-thirds of the members of the Board of Appeals.

In approving a use variance, the Board of Appeals may include such terms and conditions that the Board deems reasonably necessary to carry out the intent and purposes of this Ordinance and for the protection and advancement of the public interest.