

PUTNAM TOWNSHIP

Variances Packet - Zoning Board of Appeals Application

Non-Use Variance Interpretation of Zoning Ordinance (inc. map) Administrative Review

Applicant name: _____

Address: _____

City: _____ State: _____ Zip code: _____

Phone: _____ Email: _____

Applicant is Owner Lessee Contractor purchaser Contract/Architect

This application must be accompanied by proof of ownership or documentation of a legal interest.

Project address or location: _____

Parcel number: _____

Explanation of request, attach additional sheets if necessary:

In addition to this form, please review the information sheet and fill out the checklist in this packet. The checklist must be submitted with the application. The information sheet describes the hearing process and also lists additional submittals. Your application is not complete and can't be processed without the application, checklist and all required submittals.

I hereby attest that all information on this application is, to the best of my knowledge, true and accurate.

Signature _____ **Date:** _____

Permission to enter (owner only): I hereby grant permission for members of the Putnam Township Planning Commission, Board of Zoning Appeals or staff to enter the property described below (or as described in the attached) for the purpose of gathering information related to this application.

Signature of owner: _____ **Date:** _____

PUTNAM TOWNSHIP

Variances Packet - Zoning Board of Appeals Applications

Zoning Board of Appeals

Meeting dates: Meetings of the Zoning Board of Appeals (ZAB) will be determined by the call of the chairperson and at other times as the ZBA may specify.

Deadlines: The application deadline is *30 days* prior to the requested meeting date. Meeting dates are adjusted to the nearest business day when the deadline falls on a weekend or holiday. An application will not be placed on a meeting agenda unless the Zoning Administrator determines that the application is complete.

Review procedure: The applicant will be required to show how the request is justified according to the Standards of Review listed in § 340-170 of the Putnam Township Ordinance. The applicant must show that all of the standards are met. See the appropriate information sheet/checklist for more information.

Effective date: If the request is approved, it does not become valid until after the minutes from the meeting have been approved, usually at the next scheduled meeting. However, the ZBA shall have the option of certifying the decision on a form signed by the Chairperson and ZBA members at the meeting at which the decision is made.

Appeals of ZBA decisions: Any individual aggrieved by the ZBA's decision may file an appeal to the County Circuit Court.

Denial: No application that has been denied wholly or in part by the ZBA shall be resubmitted for a period of one (1) year from the date of the last denial, except on grounds of changed conditions that would significantly change the nature of the request or affect the reasons for denial first ordered by the ZBA.

Questions: Contact the Putnam Township Zoning Administrator at zoningadmin@putnamtwp.us or by phone at the number below.

PUTNAM TOWNSHIP

Variances Packet - Zoning Board of Appeals Applications

Zoning Board of Appeals Information Sheet

The Putnam Township Zoning Board of Appeals (ZBA) hears and decides on requests for variances to the Zoning Ordinance requirements as well as appeals of administrative zoning decisions. The ZBA is made up of seven members, with two alternates, all appointed by the Township Supervisor and approved by the Township Board.

This information is a summary of the ZBA's authority, hearing procedures, and requirements. It is the responsibility of each applicant to review the Zoning Ordinance in order to comply fully with its requirements and procedures.

Applications to the ZBA are made by filing the proper zoning application and providing the accompanying documents (listed below) with the Township's Zoning Administrator. Meetings of the ZBA will be scheduled at the call of the chairperson and at other times as the ZBA may specify. At the meeting, the ZBA will hold a hearing on an application, where any member of the public who wishes to, may speak on the case(s) being heard. ZBA cases require notification to all neighbors located within 300 feet of the subject property.

The Board of Zoning Appeals possesses limited and specific powers. It may not change the zoning district classification of any property. It may not change any of the stated terms of this chapter. It has powers to act on those matters where this chapter provides for an administrative review, interpretation, and to authorize a Variance as defined in this section and in the laws of the State of Michigan.

A. The powers of the ZBA include:

- 1) Administrative review. To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision or refusal made by the Zoning Administrator, any other administrative official, or anybody acting in an administrative capacity in carrying out or enforcing any provisions of this chapter.
- 2) Interpretation of the Zoning Ordinance, including the Zoning Map. To make interpretations of the text of the Zoning Ordinance and of the Zoning Map, including the verification of definite boundaries between zoning districts, and the location of proper setback lines, in the event that such boundaries or locations should be unclear subject to dispute.
- 3) Variances. To authorize nonuse variances from the strict application of the provisions of this chapter. In granting a variance, the ZBA may attach thereto such conditions regarding the location, character, and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this chapter. In granting a variance, the Board shall state the grounds upon which it justifies the action.

B. The ZBA shall not have the power to grant variances to uses allowed in the zoning districts.

Hearings

All ZBA meetings are held at the Township Hall. When your case is heard, the applicant and any member of the public is given a chance to speak and present any relevant facts or evidence. The applicant or a representative must attend the meeting so that any questions the ZBA may have can be answered.

The approval of a majority of the membership of the ZBA, at least four (4) votes, is needed in order to grant any request. The decision of the ZBA is final, but any decision may be appealed to the County Circuit Court.

The ZBA may impose reasonable conditions on any approval. Decisions of the ZBA run with the land. However, if no building or land use permit related to the approval has been applied for within one year (Ord. Z-71 eff. 10-25-13) of the ZBA's decision, the approval becomes void.

Applications to the ZBA must be accompanied by the appropriate zoning application form, any required fees, and the appropriate checklist, which includes the standards for granting a variance. A narrative describing how each standard is met can be written on the checklist form, or it may be a separate document.

If you have any questions regarding the ZBA, contact the Putnam Township Zoning Administrator at zoningadmin@putnamtwp.us or the phone number below.

Putnam Township
3280 W. M-36 Pinckney, MI 48169
734-878-3131 Fax 734-878-2545

PUTNAM TOWNSHIP

Variances Packet - Zoning Board of Appeals Applications

Zoning Board of Appeals Checklist

Name of project: _____

Applicant name: _____

This Zoning Board of Appeals (ZBA) application is for a (check only one):

- Non-Use Variance:** Complete Section A and Section B, below.
- Appeal of an Administrative Decision:** Complete Section C, below.
- Interpretation:** Complete Section D, below.

Deadline

The items required below must be submitted at least *30 days* prior to the meeting of the ZBA. The board meets on the second Tuesday of the month at 7 p.m. The Zoning Administrator (ZA) shall determine if the application is complete before accepting the application. Incomplete applications cannot be processed until all materials are received.

In granting a variance or miscellaneous permit, the ZBA may attach conditions regarding the location, character, and other features as deemed reasonable.

Section A: Miscellaneous Permits and All Variances

Check off each item as it is completed.

- A fully completed zoning application.
- Application/escrow fee.
- This checklist, filled out completely.
- Ten copies of a detailed site plan, drawn to scale. If the site plan cannot be drawn at a scale that shows sufficient detail on a maximum 11" x 17" sheet, large scale copies (maximum size 24" x 36") must be submitted. The site plan shall show:
 - Existing improvements and structures, with outside dimensions (if applicable).
 - Existing setbacks of all main and accessory buildings from all property lines.
 - Required setbacks as listed in the Zoning Ordinance.
 - All proposed improvements, with proposed setback distances and other dimensions as applicable (i.e., height of the structure).
 - Highlight the location of the requested variance(s) or temporary use on the plan.
 - Other items (maps, photos, narrative, etc.). Submit with application as necessary.

The ZBA may request additional detail on the drawing, including requiring a property survey, prepared by a licensed surveyor, or other information which they deem necessary to make a decision on the application.

- Staking. See Staking Requirement, below. Please check this box to acknowledge notification of this requirement.

Staking Requirement

An applicant for a variance is required to stake the corners of all structures or additions that require a variance, at least seven (7) days prior to the scheduled ZBA meeting. This allows the members of the ZBA to see the potential impact of the proposed request.

Section B: Variance Justification

To complete Section B or C, a narrative must be provided with your application demonstrating how the request meets the standards for a variance in § 340-170 of the Zoning Ordinance. To aid you in completing this narrative, you may fill in the appropriate spaces on this checklist, or you may complete a separate narrative. There must be a response for *each* of the listed standards. When preparing your application, provide as much detail as possible for each of the standards. The italicized text is not included in the ordinance, but simply restates the intent of the review standard and is strictly for the use of the applicant in completing the required narrative.

Section B: Non-Use Variance, Standards of Review (§ 340-170)

Attach a narrative or write in the space provided below to address each of the following standards. Please write legibly.

That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions include:

- i) Exceptional narrowness, shallowness or shape of a specific property;
- ii) By reason of exceptional topographic conditions or other extraordinary situation on the land, building or structure;
- iii) By reason of the use or development of the property immediately adjoining the property in question; whereby the literal enforcement of the requirements of the Ordinance standards would involve practical difficulties;
- iv) Any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary.

What physical characteristics of the property exist that prevents the proposed project from complying with the requirements of the Ordinance?

That the condition or situation of the specific piece of property for which the variance is sought is not of so general or recurrent in nature as to make reasonably practical the formulation of a general regulation for such conditions or situations.

Is this a reasonably uncommon situation, or does it exist in many places throughout the township? If it is a common situation, the variance should be denied and the Zoning Ordinance revised to address the issue.

That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

If this variance was not granted, would it prevent the applicant from doing something that anyone else in the same district is permitted to do? The variance will not be granted if the only justification for complying with the ordinance is that it may cost more.

The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.

If granted, would the project harm the use and enjoyment of adjacent properties, such as loss of privacy, etc.?

The variance will not impair the intent and purpose of the township ordinance.

If granted, would the variance compromise the purpose for which the regulation was written?

That the immediate practical difficulty causing the need for the variance request was not created by any affirmative action of the applicant.

Did the applicant take some action that caused the need for the variance, such as altering the physical character of the property, or other direct action?

Section C: Appeals of Administrative Decisions

- A detailed description of the circumstances of the case.
- Site plans, if necessary, to illustrate the conditions and circumstances related to the appeal.
- A narrative describing the reason for the appeal and the desired action.

Section D: Interpretations

- Describe the property or area affected by the request.
- For text interpretations, cite the specific Ordinance requirement for which an interpretation is sought.
- For map interpretation, include a copy of the section of Zoning Map in question (see Zoning Administrator).
- A narrative describing the circumstances regarding the interpretation and the requested outcome.

If you have any questions, or need help filling out this checklist, please contact the Zoning Administrator at zoningadmin@putnamtwp.us or the phone number below.

Putnam Township
3280 W. M-36 Pinckney, MI 48169
734-878-3131 Fax 734-878-2545

Fee Schedule

Table 5 - Variance Application/Board of Zoning Appeals

Type	Type of Charge	Township Application Fee	Escrow Fee	Total
Variance Application	Single Family Residential	\$600	\$1,000*	\$1,600
	All Other Uses	\$600	\$1,000*	\$1,600