



Office of Planning and Zoning
420 N Front Street
P O Box 395
Suttons Bay, MI 49682
231-271-3051 or 231-392-5828
zoning@suttonsbayvillage.org

REQUIREMENTS FOR MAKING APPLICATION FOR A VARIANCE (12/14/18)

All applications must be submitted thirty (30) days prior to the regular monthly meeting of the Zoning Board of Appeals.

1. The Applicant shall submit, along with the completed application, a survey of the property drawn by a professional surveyor (commercial & large development applications must provide 10 copies of a complete survey). The survey shall include the following:
 - a. Current boundary lines
 - b. Road/easement right-of-way
 - c. Any existing improvements (buildings, well, septic, driveways, etc.)
 - d. Location of approved septic system and well (for vacant parcels and parcels with systems requiring a location change due to the appeal request of it impacting the variance request)
 - e. Proposed changes/additions for which the variance is being sought
2. Reasons for the variance (narrowness, shallowness, shape, water, or topography) shall be clearly stated by the property owner.
3. Hardship shall be stated by the property owner, i.e.: A lot-of-record that does not conform to current zoning, or such other conditions conveying hardship not of the owners making.
4. All applications must be signed by the property owner. If the owner chooses to be represented by another party, he/she must also sign the application.
5. Property in question shall have all property lines involved plainly marked and visible for an on-site inspection prior to the public hearing. *
6. The building site shall be clearly marked, (STAKED OUT/FLAGGED) for any on-site inspections that may occur, prior to the public hearing. *

Items #5 and #6 apply to site review. *

Questions? Concerns? We are here to help. Pre-submission meetings for assessment of your application are available and encouraged. To schedule an appointment with the Village Zoning Administrator, please call the Office of Planning and Zoning at (231) 271-3051.

The Zoning Board of Appeals meets on the third Wednesday of each month, at 5:30 pm. If you are unsure of the application deadline and/or date of the meeting, please contact the Office of Planning and Zoning.

VARIANCES:

A request for a dimensional variance may be made by the owner of the property on which the variance would apply, or by a person authorized in writing by the owner to request the variance. The person requesting the variance shall file with the Zoning Administrator a completed application form furnished by the Village specifying the zoning ordinance provision from which the variance is being requested. The Zoning Administrator shall then transmit to the Zoning Board of Appeals the completed application concerning the variance request.

A. *Dimensional Variances.* The Zoning Board of Appeals shall have the power to authorize specific dimensional variances from the requirements of this ordinance if it finds based upon competent, material, and substantial evidence following a public hearing that all of the applicable standards provided in this section have been met.

1. Standards for Dimensional Variances. To obtain a variance from the dimensional requirements of this ordinance (area, setback, frontage, height, bulk, density or other dimensional requirements) the applicant must demonstrate that a practical difficulty exists by showing all of the following:

- a. The need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and not due to applicant's personal or economic hardship.
- b. That the need for the requested variance is not the result of actions of the property owner.
- c. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.
- d. Whether granting the requested variance would do substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give substantial relief to the property owner and be more consistent with justice to other property owners.
- e. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

2. Use Variances. The Board may not grant a use variance.



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ZONING BOARD OF APPEALS APPLICATION

FEES: **VARIANCE:** **\$500** **Paid:** _____ **Check #** _____
NON-CONFORMING USE: **\$500** **Paid:** _____ **Check #** _____

Date Rec. ____/____/____ **Hearing Date** ____/____/____

Above is for office use only

IMPORTANT PLEASE READ THE FOLLOWING:

1. Appeal applications must be submitted in the name of the owner of the property. The owner may be represented by another person, such as, but not limited to; a builder, potential buyer, attorney, or architect.
2. Applications must be signed by the owner. If represented by an authorized agent, he/she must sign also.
3. To process your application, a survey drawn by a professional surveyor (SEE REQUIREMENTS FOR MAKING APPLICATION), must be submitted to the Office of Planning and Zoning *thirty (30) days prior* to the scheduled Appeals Board meeting at which you wish to appear. The Appeals Board meets on the third Wednesday of each month.
4. The owner is bound by the commitments, concessions and agreements made by their representative/authorized agent.

Owner(s) Name: _____ Phone Number: (____) _____ - _____

Address: _____

Email: _____

Authorized Agent's Name: _____

Address: _____ Phone Number: (____) _____ - _____

Email: _____

Property Identification Number (PIN): 45-043-_____-_____-_____

Property Location (address if available): _____

Type of Request _____

- Variance Special Land Use Denial Temporary Use Conditional Use
- Site Plan Review Denial Non-conforming Use Special Exception
- Interpretation Other – specify _____

Section of Ordinance Applicable (office use only) _____

If this request is for an appeal from determination by the Zoning Administrator, date of denial: ___/___/___

Have any previous applications regarding this property been submitted to the Board of Appeals?

Yes No If yes, what was the description of the prior request? _____

Is the subject property Unplatted Platted – If Platted, give name of Plat. _____

Describe the request being made with reasons that include the peculiar or unusual conditions which are present. Depict the hardship(s) which will result if the variance is not approved. (Please attach separate sheets if necessary):

Signature of Owner _____ Date ___/___/___

Signature of Authorized Agent _____ Date ___/___/___

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A copy of the site plan and other pertinent information was sent to the following agencies for review and comment:

- Leelanau County Road Commission Leelanau County Soil/Erosion Department
- Leelanau County Fire Department Township Engineer
- Others _____, _____, _____

ACTION TAKEN: Approved Approved w/ conditions Denied

Note: APPROVALS BY THE BOARD OF APPEALS ARE VOID UNLESS THE CONSTRUCTION AUTHORIZED BY SUCH A VARIANCE HAS RECEIVED A LAND USE PERMIT WITHIN ONE YEAR.