

# Village of Ontonagon

315 Quartz Street, Ontonagon MI 49953

906.884.2305

[www.villageofontonagon.org](http://www.villageofontonagon.org)

## Zoning Application / Permit and Checklist

Property Number	
Property Address	
Ownership Private/Corporate please indicate	<input type="checkbox"/> Private <input type="checkbox"/> Corporate
Property Owner	
Property Owner Address	
Property Owner Phone	
Property Owner E-mail	
Contractor	
Contractor Address	
Contractor Phone	
Contractor E-mail	
Zone (consult the Village Zoning map online at <a href="http://www.villageofontonagon.org">www.villageofontonagon.org</a> )	
Current Building Use (Select from list) or describe project for Non- Residential Use / Commercial Use / Industrial Use	<ul style="list-style-type: none"> <li>Residential Use</li> <li>○ Single Family</li> <li>○ Two Family</li> <li>○ Multi – Family</li> <li>○ Addition</li> <li>○ Mobile Home</li> <li>○ Garage, Attached</li> <li>○ Garage, Detached</li> <li>○ Accessory Building</li>   <li>○ Non- Residential Use</li> <li>○ Commercial Use</li> <li>○ Industrial Use</li> </ul>

Property Information	Lot Size Frontage:           ft Depth:             ft Area:               Acres/Sq Ft
Applicant Interest	The applicant must have a legal interest in the subject property: <input type="checkbox"/> Property Owner <input type="checkbox"/> Purchaser by Land Contract <input type="checkbox"/> Purchaser by Option or Purchase Agreement <input type="checkbox"/> Lessee/Tenant <input type="checkbox"/> Agent
Agent Information	Identify any person representing the property owner or applicant in this matter: <input type="checkbox"/> Name: <input type="checkbox"/> Cell Phone: <input type="checkbox"/> Organization Business Phone: <input type="checkbox"/> Mailing Address:  <input type="checkbox"/> Fax: <input type="checkbox"/> E-Mail:

**Setback Requirements** (please fill for intended purpose)

USE	Front Setback (feet)	Side Setback (feet)	Rear setback (feet)
New Building			
Addition			
Garage (attached)			
Garage (detached)			
Access Ramp			
Swimming Pool			

**Project Information** (please attach a separate sheet that addresses each of the following items.)

- 1. Current Use of Property.
- 2. History of Property. (Describe how the property has been used in the past. Provide dates of operation, previously approved and denied Variances, and other pertinent information.)

- 3. Proposed Use of Property (Please
- 4. Required Attachments
  - Site Plans
  - Building Elevations and Floor Plans
  - Property Survey

Enclose site plans, property survey, building elevations and floor plans that show the current and proposed uses.

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### Dimensional Variance

Is a **Dimensional Variance** required?    Yes                       No

If a Dimensional Variance is needed complete the following information:

Hybrid Zoning Ordinance 2021 Requirement(s) for which you are requesting a Variance.  
List the Section Numbers and the specific requirements of the Hybrid Zoning Ordinance 2021.

From The Village of Ontonagon Hybrid Zoning Ordinance of 2021:

**The Zoning Board of Appeals (ZBA)** will review the application package and determine if the proposed project meets the required standards for approval. In the space below, and on additional paper, if necessary, explain how the proposed project meets each of the following standards. A dimensional variance may only be granted by the ZBA through a determination that there is evidence of practical difficulty with a finding that all the following conditions are met.

Standard #1. Exceptional or Extraordinary Circumstances or Conditions.

Explain how the exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Exceptional or extraordinary circumstances or conditions may include:

a. Shape of Lot. Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of this Chapter or amendment. If applicable, describe below:

b. Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. If applicable, describe below:

c. Abutting Property. The use or development of the property immediately adjacent to the subject property that prohibits the literal enforcement of the requirements of this Chapter. If applicable, describe below:

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## **REQUEST AND AFFIDAVIT**

The applicant must read the following statement carefully and sign below:

The undersigned requests that the Village of Ontonagon review this application, and related required documents and site plans as provided in Article 13 of the Village of Ontonagon Hybrid Zoning Ordinance 2021. The applicant further affirms and acknowledges the following:

That the applicant has a legal interest in the property described in this application.

That the answers and statements contained in this application and enclosures are in all respects true and correct to the best of his, her or their knowledge.

That the approval of this application does not relieve the undersigned from compliance with all other provisions of the Hybrid Zoning Ordinance 2021 or other codes or statutes and does not constitute the granting of a variance.

That the applicant will comply with all conditions imposed in granting an approval of this application. If also the owner, the applicant grants the Village of Ontonagon staff and the Zoning Board of Appeals the right to access the subject property for the sole purpose of evaluating the application.

If the applicant is not the property owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and: Is/are aware of the contents of this application and related enclosures.

Authorizes the applicant to submit this application and represent the undersigned in the matter being reviewed by the Village of Ontonagon.

Grants the Village of Ontonagon staff and the Zoning Board of Appeals the right to access the subject property for the sole purpose of evaluating the application.

Property Owner Signature:

Property Owner Name (printed):

Property Owner Signature Date:

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If this application is being filed by anyone other than the registered property owner please sign statement of agency.

Applicant Signature:

Applicant Name (Please Print):

Application Date:

By signing this document I hereby certify that the proposed work is authorized by the owner of record and will comply with all applicable ordinances in the Village.

Please initial.

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The **Zoning Board of Appeals** (ZBA) will review the application package and determine if the proposed dimensional variance meets the required standards for approval. In the space below, and on additional paper, if necessary, explain how the proposed project meets each of the following standards. A dimensional variance may only be granted by the ZBA through a determination that there is evidence of practical difficulty with a finding that all the following conditions are met.

**Dimensional Variance Application & Review Standards**

**Standard #1.** Exceptional or Extraordinary Circumstances or Conditions.

Explain how the exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Exceptional or extraordinary circumstances or conditions may include:

a. *Shape of Lot.* Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of this Chapter or amendment.  Not Applicable  Applicable

If applicable, describe below:

b. *Environmental Conditions*. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.  Not Applicable  Applicable

If applicable, describe below:

c. *Abutting Property*. The use or development of the property immediately adjacent to the subject property that prohibits the literal enforcement of the requirements of this Chapter.

Not Applicable  Applicable

If applicable, describe below:

### **Standard #2.**

*Substantial Property Right*. Explain how the variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same Zone District and in the neighboring area.  Not Applicable  Applicable

If applicable, describe below:

### **Standard #3.**

*Not Self-Created*. Describe how the immediate practical difficulty causing the need for the variance was not created by an action or inaction by the applicant or the applicant's predecessors in title.  Not

Applicable  Applicable

If applicable, describe below:

### **Standard #4.**

*No Substantial Detriment*. Explain how the variance, if granted, would not cause substantial detriment to adjacent property and the surrounding neighborhood.

## **Standard #5.**

*Master Plan/Hybrid Zoning Ordinance 2021.* Explain how the variance, if granted, is consistent with, and not materially impair, the purpose and intent of the Master Plan and the provisions of the Hybrid Zoning Ordinance 2021 and District under consideration.

## Application Procedures

### **1. General Information**

The Village of Ontonagon Hybrid Zoning Ordinance 2021 divides the Village of Ontonagon into districts. Each district has certain uses that are permitted in the district. The ordinance also establishes the regulations which each use must comply with, and the procedure used to review new developments or changes to existing uses. If you want to build a structure or use your property in a way that is not permitted under the Hybrid Zoning Ordinance 2021, you have the right to apply for a variance, which if approved, would give you permission to proceed with your plans.

### **2. Application**

An application packet for a Dimensional Variance is available from the Village of Ontonagon, located at 315 Quartz Street or at the Villages website, [www.villageofontonagon.org](http://www.villageofontonagon.org) under Forms and Applications. You may also call 906.884.2305.

The application packet contains all the information necessary for you to apply for a variance. Please read the instructions carefully and then fill in the enclosed forms and attach the items listed on the application checklist. If you are not the property owner, it is necessary for you to obtain permission from the owner to apply for the variance.

A complete application may be submitted to the Village office 315 Quartz Street, Ontonagon, MI 49953. An incomplete application package will not be accepted. A complete application must be submitted at least five weeks prior to the Zoning Board of Appeals meeting. See [www.villageofontonagon.org](http://www.villageofontonagon.org) for the schedule of ZBA meetings and application deadlines.

### **3. Application Fee**

The application fee is applied to the cost of processing your application and notifying neighbors. No portion of the fee can be refunded if you withdraw your application. Likewise, the application fee cannot be refunded in the event of a denial by the Zoning Board of Appeals.

### **4. Staff Review**

The application will be reviewed initially by the Planning Department staff prior to submission to the Zoning Board of Appeals (ZBA). A staff person may contact you with questions or a request for additional information.

### **5. Notice of Public Hearing**

Following staff review, the variance request will be forwarded to the Zoning Board of Appeals (ZBA) for a public hearing. A notice of the public hearing will be published in the Village of Ontonagon Press 15 days prior to the ZBA meeting. Property owners within a 300' radius of the subject property will be notified of the public hearing by post card. Interested persons may submit a letter or speak at the public hearing.

### **6. Neighborhood Input**

Applicants are strongly encouraged to meet with neighboring property owners and the neighborhood association or business association before the hearing to answer any questions or concerns they may have. A list of associations and contact persons is available in the Planning Department and on its website, [www.villageofontonagon.org](http://www.villageofontonagon.org).

### **7. Zoning Board of Appeals Meeting**

All meetings of the ZBA are held at 315 Quartz Steet, Ontonagon MI 49953. You will be notified of the date and time of the meeting. Each public hearing item for consideration is assigned an approximate start time. The Planning staff introduces and explains each request to the ZBA. The applicant is then asked to present information on his or her proposal. The ZBA may ask questions of the staff and/or applicant. The ZBA then allows public comment on the application, and a chance for the applicant to address any concerns or questions. The public hearing is then closed and the ZBA deliberates on the request in open session. The ZBA may recommend approval, approval with conditions, denial, or may table the variance request. The ZBA uses the review standards in the applicable sections of the Hybrid Zoning Ordinance 2021 as guidance in making its decision.

### **8. Written Notice**

The applicant will be provided with a letter that documents the decision of the ZBA, including any conditions of approval.

### **9. Appeal of Denial**

If the ZBA denies an application for a Dimensional Variance, the applicant may not appeal the decision. The applicant may, however, initiate legal action against the Village of Ontonagon through the court system.

## **Application Checklist**

### **Dimensional Variance**

The following items are required for a complete Variance application. Incomplete applications will be returned.

**Signed Application Form** Complete pages 2 - 4 of the Dimensional Variance application form. If you need additional room to answer any question, attach additional sheets and identify the property address. Application must be signed by the applicant and the property owner (if different).

**Response to Dimensional Variance Review Standards** Complete pages 5 and 6 of the Dimensional Variance application form. Use additional paper if needed.

### **Dimensioned Site Plan from a Property Survey** (1 copy & 1 digital PDF copy)

- Existing or proposed buildings or additions on the property.
- Number and location of all on-site parking spaces.
- Existing and proposed distances to adjacent property lines.
- Location of existing and proposed signs, if applicable.
- Any other information relevant to the Dimensional Variance application.

### **Dimensioned Drawings and Plans** (1 copy & 1 digital PDF copy)

- All proposed buildings and additions.
- All existing and proposed signs on the property (photographs may be used).
- For multi-family residential structures or projects, a summary showing the existing and proposed number of dwelling units by type (efficiency, one-bedroom, two-bedroom, etc.)

### **Other Helpful Information** - Optional

- Photographs of the lot or structure that shows the special conditions or circumstances described in the application.

- Photographs or maps that show how other properties in the area enjoy the same type of property rights related to the Variance.
- Letters of support from the neighbors who would be most affected by your request.

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**Neighborhood Outreach**

Include a summary of activities conducted, any correspondence distributed, meeting sign-in sheets, meeting notes, letters of support, etc. Failure to conduct outreach activities may result in tabling of the application.

**Fee (FY2025)** Either by check made payable to Village of Ontonagon, by credit card in person at DevelopmentCenter, or by credit card over the phone by calling (906.884.2305).

Dimensional Variance Level 1

Dimensional Variance Level 2

\$ 709 (e.g. fences, pools)

\$ 1,730 (e.g. setbacks, lot width and/or lot area, parking)

**Additional Information**

In the course of reviewing the application, the Village staff may request additional information from the applicant.

**You must submit a building permit with the State of Michigan if required. This form covers zoning compliance with the Village of Ontonagon’s ordinances.**

**This document is not valid until signed by both parties.**

**For Office Use Only:**

Application review date:

Fee received:

Site plan review date:

Fee received:

Ownership Verified (initial):

Bond received:

Approval date:

Approved by:

Print name: