**Zoning Board of Appeals**

**Application for Variance, Interpretation, or Appeal**



1720 Riverview Drive

Kalamazoo, MI 49004

P. (269) 381-8080

F. (269) 381-3550

ktwp.org



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| **APPLICANT** |
| Contact Person |
| Business Name *(if applicable)* | Email |
| Address | Phone | Cell Phone |
| City | State | Zip Code |
| **PROPERTY OWNER** |
|  *Check here if same as above* |
| Name | Email |
| Address | Phone | Cell Phone |
| City | State | Zip Code |
| **PROPERTY INFORMATION** |
| Street Address | Suite/Apt. # |
| Zoning District | Master Plan Designation |
| Gross Acreage | Parcel Dimensions |
| **ZBA ACTION REQUESTED** |
| * To interpret a particular section of the ordinance, as it is felt the Zoning Administrator/Planning Commission is not using the proper interpretation.
* To interpret the zoning map, as it is felt the Zoning Administrator/Planning Commission is not reading the map properly. Describe the portion of the zoning map in question (attach detail maps if applicable).
* To grant a variance to certain requirements of the zoning ordinance, (parking, setbacks, lot size, height, floor area, sign regulations, location of accessory buildings, maximum amount of lot coverage, etc.).
* To overturn an action of the zoning administrator. The zoning administrator errored (did not issue a permit, issued a permit, enforcement).
 |
| **SECTION OF THE ZONING ORDINANCE SEEKING INTREPRETATION OR VARIANCE** |
| Section: |

*I (we), the undersigned, do hereby indicate that all information contained in this application, accompanying plans and attachments are complete and accurate to the best of my (our) knowledge.*

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| --- | --- | --- | --- | --- |
| Date |  | Signature of Applicant |  | Print Applicant Name |
| Date |  | Signature of Property Owner |  | Print Property Owner Name |

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| **FOR VARIANCE APPLICATIONS ONLY** |
| **RULING SOUGHT** (attach additional sheets if necessary) |
|  |
| **STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION** (attach additional sheets if necessary)State specifically the reason for the variance request  |
|  |
| **VARIANCE QUESTIONS:** If you are seeking a variance, please provide answers to the following questions. Be specific, and explain your answers. If the answer to any of the questions numbered 1-4 is “no,” a variance may not be granted (attach additional sheets if necessary) |
| 1. Does strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, unreasonably prevent the owner from using the property for a permitted purpose or does the ordinance render conformity unnecessarily burdensome?
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| 1. Would a variance do substantial justice to the applicant, as well as adjacent property owners?
 |
| 1. Would a lesser variance not give substantial relief to the applicant and/or be consistent with justice to other property owners?
 |
| 1. Is the problem and resulting need for the variance not self-created by the applicant and/or the applicant’s predecessors?
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**ATTACH SEVEN (7) COPIES OF A SITE PLAN PLUS ONE ELECTRONIC COPY**

**NOTE:** The ZBA shall *not* have the authority to alter or change zoning district classifications of any property, nor to make any change in the text of the Township Zoning Ordinance. The ZBA has *no* authority to grant variances or overturn decisions involving special land uses or planned unit developments.

The ZBA shall have authority in specific cases to authorize one or more dimensional or "non-use" variances from

the strict letter and terms of the Township Zoning Ordinance by varying or modifying any of its rules or provisions so that the spirit of the Ordinance is observed, public safety secured, and substantial justice done. A dimensional or non-use variance allows a deviation from the dimensional (i.e., height, bulk, setback) requirements of the Ordinance. A use variance

authorizes the establishment of a use of land that is otherwise prohibited in a zoning district. The ZBA is *not* authorized to grant use variances by this Ordinance.

For more information pertaining to the rules, regulations, and powers of the ZBA, see Section 26.05 of the Township Zoning Ordinance.

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| **FOR ORDINANCE INTREPRETATION / OVERTURN (MAPS OR TEXT)****APPLICATIONS ONLY** |
| **RULING SOUGHT** (attach additional sheets if necessary) |
|  |
| **STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION** (attach additional sheets if necessary)State specifically the reason for the variance request  |
|  |

**Attach a copy of any communications pertaining to the interpretation issue and the zoning administrator’s (or planning commission’s) written ruling on this issue.**