

VARIANCE APPLICATION



CITY OF ST. JOSEPH

700 Broad St., St. Joseph, MI 49085-1206
Phone 269-983-1212 Fax 269-985-0347

An incomplete application will not be accepted. All required materials must be submitted, reviewed, and accepted as administratively complete at least 24 days prior to the next Zoning Board of Appeals meeting.

PROPERTY INFORMATION:

Property Address _____ Tax ID # _____

OWNER/APPLICANT INFORMATION:

Are you the owner? YES NO

If you are not the owner, please describe your legal interest in the property as part of your written application.

Name _____ Address _____

Phone _____ Cell _____ Fax _____

E-mail Address _____

Applicants, please note: No dimensional variance shall be approved unless the Zoning Board of Appeals finds that **ALL** of the Dimensional Variance Standards have been met. Use variances are not permitted in any zoning District within the City.

Please see the reverse of this page for instructions regarding the additional information that must be submitted for this application to be complete.

The information on this application form is, to the best of my knowledge, true, accurate and complete.

OWNER/APPLICANT SIGNATURE _____ DATE _____

I grant permission for members of the City of St. Joseph staff and appointed officials to enter the above described property for the purpose of gathering information related to this application.

OWNER/AGENT SIGNATURE _____ DATE _____

Date Received _____ \$400 Application Fee Paid _____

Submitted Materials: _____ Application Form _____ Written Statement

Application Accepted as Complete by: _____ Date Accepted _____

Questions for Applicants—Variance Application

On a separate piece of paper, please answer all of the following questions:

- 1. Please briefly describe your proposal: what would you like to do?***
- 2. From which standard or standards of the Zoning Ordinance of the City of St. Joseph are you requesting a Variance?***
- 3. Please explain the exceptional characteristics of your property (not the structure or your personal situation) that cause the unnecessary hardship that you seek to relieve through the variance procedure.***
- 4. Please explain why the Zoning Board of Appeals should conclude that each of the following standards have been met, as it must do in order to approve any requested variance; please address each standard individually, and be as specific as possible:***

15.4.10 Dimensional Variance Standards: No Variance to the provisions of this Ordinance shall be granted unless the Board finds, from substantial evidence, that all of the following standards have been met. In each instance, the Board shall specifically address each of the listed criteria in reaching its decision, and each member shall affirmatively state that they believe each of the following nine standards has been met; a member who believes that even one of the following nine standards has not been met shall vote to deny the application:

- A. The Variance would not be detrimental to adjacent property and the surrounding neighborhood.
- B. The Variance would not impair the intent and purpose of this Ordinance.
- C. Exceptional or extraordinary circumstances or conditions apply to the property in question or to the intended Use of the property that do not apply generally to other properties in the same zoning District and vicinity. Such circumstances shall create a practical difficulty because of unique circumstances or physical conditions such as narrowness, shallowness, exceptional shape or topography of the property involved, or to the intended Use of the property. See Section 15.4.8.B.
- D. The 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.
- E. The condition or situation of the specific piece of property or of the intended Use of said property, for which the Variance is sought, is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for the condition or situation.
- F. The condition or situation for which the Variance is sought shall not be the result of actions of the property Owner.
- G. Strict compliance with area, Setbacks, Frontage, height, bulk or density requirements would unreasonably prevent the Owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.
- H. The Variance requested is the minimum change necessary to mitigate the hardship.
- I. The Variance will relate only to the property that is the subject of the application.

- 5. Please include a dimensioned site plan adequate to allow the Zoning Board of Appeals to understand the current state and exceptional characteristics of your property and the requested relief.***
- 6. Please include the legal description of the property, either separately or as part of your answer to the above questions.***