

APPLICATION TO THE EATON COUNTY BOARD OF APPEALS

**Eaton County Community Development Department
1045 Independence Boulevard, Charlotte, MI 48813
517-543-3689 FAX:517-543-8457**

<u>Applicant/Appellant Name(s):</u> _____		
<u>Circle one</u> Owner Lessee Representative		
<u>Mailing Address:</u> Street _____ City, _____ State, _____ zip _____		
<u>Phone(s):</u> _____		
<u>Property Address: (if different than above)</u> Street _____		
<u>Property Code:</u> - - - -		
<u>Township:</u> _____		

<u>Office Use Only</u>		
Case No.: _____		
Date Application Received: _____		
Date Application Complete (if different): _____		
Application Fee	\$350.00	
_____ Check	_____ Cash	
<u>Township Hearing Date:</u> _____		
<u>Circle one</u> Approved Denied Tabled		
<u>Board of Appeals Hearing Date:</u> _____		
<u>Circle one</u> Approved Denied Tabled		

INFORMATION

The Eaton County Board of Appeals hears the following categories of appeals in accordance with standards outlined in the Eaton County Land Development Code (Zoning Ordinance). Copies of the Zoning Ordinance are available from the Community Development Department.

Variance: Permission given to the property owner to depart from the literal requirements of the zoning ordinance. Variances may be granted for exception from setback requirements, from site development requirements, parking, signage, etc.

Interpretation of the Ordinance: Interpretation of the ordinance when its provisions are not clear, for determining precise boundaries between zoning districts or determining a land use classification not specifically mentioned for a district.

Review of Decision: Appeals where it is alleged there was an error in fact, judgment, procedure or interpretation in any order, permit, requirement, or decision made by the Community Development Department (Administrative Decision), its officials (Enforcement Decision), or the Eaton County Planning Commission (Conditional Use Permits). The Board of Appeals has the power to sustain, reverse, or remand for further consideration a Planning Commission decision if it was inconsistent with the ordinance or if there was an error in fact involved in the decision.

1. What type of appeal are you requesting? Please Circle One.

Variance Interpretation of Ordinance Review of Decision

PROPERTY INFORMATION

2. Current zoning of the property (Circle one) Information available from Community Development Dept.:

Limited Agriculture (LA) Residential (R1, R2, R3) Commercial (C1, C2) Industrial Resource Conservation

3. Current Use(s) of the Property (Please indicate if used as residence, agricultural, commercial, etc.):

4. Current Use(s) of area properties: (Please indicate if residential, agricultural, commercial, etc.)

5. List of persons and/or firms with equitable interest in this parcel:

6. PLEASE ATTACH A LEGAL DESCRIPTION OF THE PROPERTY (Please label).

A legal description of the parcel can be found in a deed, land contract, or tax information for your property. It must include any deed restrictions, easements, etc.

7. PLEASE ATTACH A SITE PLAN! (Please label all attachments)

A site plan is a scale drawing that shows the boundaries of the property, any structures, buildings on the property, public or private roads, driveways, easements, or other property features, and any natural features including bodies of water, wetlands, etc. The site plan must include measurements to all property lines and between structures.

8. PHOTOS: You may attach photos or drawings to illustrate your request. Please mount them on 8.5x11 inch paper and label clearly.

APPEAL INFORMATION

9. What part of the ordinance are you appealing?

Article _____ Section _____ Subsection _____

10. Please describe your request and what you wish the board to find:

11. Justification: Please give reasons why the Board should find as indicated above.

FOR VARIANCE REQUESTS:

The Board of Appeals may grant a variance provided that all of the following requirements are met. Please respond to these requirements. (Attach extra sheets as needed)

- A. That there is a practical difficulty in the way of carrying out the strict letter of this Ordinance.
- B. That the practical difficulty is due to unique circumstances related to the particular property and not general to other property in the district or neighborhood.
- C. That the problem was not created by the applicant.
- D. That granting the variance will not alter the essential character of the neighborhood or district.
- E. Every variance granted shall be in the minimum amount necessary to overcome the inequity inherent in the particular property.

AFFIDAVIT

I acknowledge that if a variance is granted or other decisions favorable to me are rendered upon appeal, that the decision does not relieve me from compliance with all other laws and regulations. I affirm that I am involved in the appeal and that the answers and statements herein contained and the information provided is true, accurate and correct. I understand that if it is not, this application and any approvals are void. I hereby give county officials permission to inspect the property to verify information and to verify compliance with rules and conditions. I also agree that I am able, financially, legally and physically, and I will commence this use, as approved, within six months.

Applicant(s) Signature(s)

Date

Applicant(s) Signature(s)

Date

Before you deliver this to the Eaton County Community Development Department, please make sure you have done the following:

- 1. Complete all of the application. Provide complete and accurate information.
- 2. Describe your request clearly. If requesting a variance, respond to all the requirements A-E. Label them clearly.
- 3. Include a property description and a Site Plan. Label all attachments.
- 4. Include the non-refundable application fee of \$350 in cash, check, or money order.

If you have a question or are unsure of how to complete the application, please contact us for assistance!