



# APPLICATION FOR DIMENSIONAL VARIANCE

Thornapple Township, 200 E. Main St., Middleville, MI 49333  
Phone: 269-795-7202 Fax: 269-795-8812  
Email: [zoning-administrator@thornapple-twp.org](mailto:zoning-administrator@thornapple-twp.org)

Variance # \_\_\_\_\_  
Hearing Date: \_\_\_\_\_  
Fee: \$300

## PROPERTY INFORMATION

Property Address: \_\_\_\_\_  
Parcel ID Number: \_\_\_\_\_ Zoning District \_\_\_\_\_ Wetlands Present? Y or N  
Parcel Size Frontage: \_\_\_\_\_ feet Depth: \_\_\_\_\_ feet Area: \_\_\_\_\_ [Acres or square feet]  
Legal Description of Property (attach if necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## APPLICANT INFORMATION

### 1. Applicant

Identify the person or entity requesting this variance:

Name: \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Organization: \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ E-Mail \_\_\_\_\_

### 2. Applicant Interest

The applicant must have a legal interest in the subject property, please check one below:

Property Owner  Purchase by Land Contract  Option to Purchase  Purchase Agreement  Lessee over 1 year

### 3. Property Owner Check here if applicant is also property owner

Identify person or entity that owns the subject property:

Name: \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Organization: \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ E-Mail \_\_\_\_\_

## DESCRIPTION OF VARIANCE REQUEST

1. Current Zoning District: \_\_\_\_\_
2. Section of Zoning Ordinance from which relief is being requested: \_\_\_\_\_
3. Check one or more:  
 Front yard setback  Side Yard setback

## **APPLICATION FOR DIMENSIONAL VARIANCE – Continued pg.2**

**DESCRIPTION OF VARIANCE REQUEST** - continued

4. Explain Specific Variance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPLICANT’S JUSTIFICATION FOR VARIANCE REQUEST:**

*(attach added narrative or exhibits as desired)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REQUEST & AFFIDAVIT**

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

*The undersigned requests Thornapple Township review the information included with this Appeal as provided by Article XXVII of the Zoning Ordinance. The applicant further affirms and acknowledges the following:*

- ✓ *That the applicant has a legal interest in the property relating to this Appeal, and*
- ✓ *The information and statements contained in this form and enclosures are in all respects true and correct to the best of his/her/our knowledge, and*
- ✓ *The approval of this Appeal does not relieve the undersigned and property owner from compliance with all other applicable provisions of the Zoning Ordinance or other applicable Township Ordinances and statutes does not constitute granting of a variance, and*
- ✓ *The applicant/undersigned will comply with any and all conditions imposed by the Zoning Board of Appeals if this Appeal is granted in whole or in part, and*
- ✓ *If the undersigned is acting as property owner or is the property owner, Township staff and members of the Zoning Board of Appeals are hereby granted right of access to the subject property for the sole purpose of evaluating this Appeal.*

***APPLICATION FOR DIMENSIONAL VARIANCE – Continued pg. 3***

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

If the Applicant is not the property owner, the property owner must sign below:

- Is/are aware of the content of this appeal, and
- Authorizes the applicant to submit this Appeal, and to represent him/her with the Township Zoning Board of Appeals, and
- Grants Township staff and members of the Zoning Board of Appeals the right to access the subject property for the sole purpose of evaluating this Appeal.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

**OFFICE USE ONLY:**

Appeal Fee \$ \_\_\_\_\_ Fee Paid by \_\_\_ Cash \_\_\_ Check Receipt # \_\_\_\_\_  
Received by: \_\_\_\_\_ Date \_\_\_\_\_

## **ZONING ORDINANCE CRITERIA FOR GRANTING A DIMENSIONAL VARIANCE**

**Section 27.6 of the Zoning Ordinance set forth the criteria on which the Zoning Board of Appeals (ZBA) may grant a variance in whole or in part. If a variance is granted, the ZBA may attach specific conditions to the variance.**

If an applicant seeks a non-use or dimensional variance from any of the provisions or requirements of this Ordinance, the applicant must demonstrate that all of the following standards will be met and bears the burden of proof regarding such standards:

1. Is the property subject to exceptional or extraordinary circumstances or conditions that do not apply generally to other properties in the same zoning district? Exceptional or extraordinary circumstances or conditions can include:
  - a. *Exceptional narrowness, shallowness or shape of the specific property that existed when the applicable Zoning Ordinance provision went into effect;*
  - b. *Exceptional topographic conditions or other extraordinary situations on or involving the land, building or structure;*
  - c. *Because of the use or development of the property immediately adjoining the property in question, the literal enforcement of the Zoning Ordinance requirements as to the property in question would involve practical difficulties; or*
  - d. *Any other physical situation on or involving the land, building or structure deemed by the ZBA to be extraordinary.*
  
2. The condition or situation of the specific piece of property for which the variance is sought is not of a general or recurrent nature (i.e. it generally does not apply to other properties).
  
3. Is a variance necessary for the preservation and enjoyment of a substantial property right, similar to the property rights possessed by other properties in the same zoning district and vicinity?
  
4. Will a variance not be significantly detrimental to adjacent properties and the surrounding neighborhood?
  
5. Will a variance not impair the intent and purpose of the Zoning Ordinance requirement that is the subject of the variance request?
  
6. Is the practical difficulty such that it was not self-created by any action by the applicant or their predecessors-in-title?
  
7. Will the requirement of the Zoning Ordinance at issue involve practical difficulty for the applicant or the property involved?