

KEARNEY TOWNSHIP
VARIANCE APPLICATION

1. Please complete the entire Application and applicable Standards Form. Incomplete Applications/Forms will be returned to Applicant.

2. When complete, please return the application/forms and any attachments to the Kearney Township Zoning Administrator by:

Mail: P.O. Box 51
Bellaire, MI 49615

Drop box: 4820 Aero Park Drive
Bellaire, MI 49615

Email: kearneytwpza@gmail.com

3. Fees: Application Fee: \$550.00
Special Meeting Fee: \$850.00*
Fees are non refundable.

4. Please provide eight (8) copies of the Application/Standards Form and all attachments at the time of submittal.

5. Please note: Your application will not be reviewed until receipt of all applicable fees.

* The Zoning Board of Appeals meets annually on the 2nd Monday in January. A Special Meeting will be scheduled and the Special Meeting fee incurred if the annual meeting date is not acceptable for the required Public Hearing.

Dan Hiltz, Zoning Administrator

Office: (231) 533-5719, Ext. 5

Fax: (231) 533-5290

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Property Information:

Property Address: _____

Parcel Number: 05-_____-_____-_____-_____

Lot Size: Frontage: _____ Ft.; Depth: _____ Ft;

Area: _____ Acres/Sq. Ft. _____ Rectangle? _____ Irregular?

Zoning District: Agricultural (“A”) _____; Commercial (“C”) _____;
Manufacturing (“M”): _____; Planned Development _____;
R-1: _____; R-2: _____; R-3: _____; or
Resort Residential (“RR”) _____.

Type of Variance Requested: _____ Dimensional _____ Use.

Applicant Information:

Name: _____ Cell Phone: _____

Business Name: _____ Business Phone: _____

Mailing Address: _____ Fax: _____

City: _____ State: _____ Zip Code: _____

Email: _____

Please note: If applicant is not the owner, the applicant must be authorized in writing by the owner to request a variance.

Property Owner. _____ Check here if Applicant is also the Property Owner (continue to Agent section)

Name: _____ Cell Phone: _____

Business Name: _____ Business Phone: _____

Mailing Address: _____ Fax: _____

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City: _____ State: _____ Zip Code: _____

Email: _____

Agent. Identify any person(s) representing the Property Owner or Applicant in this matter:

Name: _____ Cell Phone: _____

Business Name: _____ Business Phone: _____

Mailing Address: _____ Fax: _____

City: _____ State: _____ Zip Code: _____

Email: _____

Project Information:

1. Current Use of Property: _____

2. History of Property: Describe how the property has been used in the past. Provide previously approved and denied Variance applications, and any other relevant information.

3. Proposed Use of Property:

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4. Explain Why a Dimensional or Use Variance is Needed:

5. Zoning Ordinance Article and Section Number(s) for which you are Requesting a Variance: _____

6. Required Attachments:

Site Plans, Building Elevation and Floor Plans, Survey showing current and planned use must be provided with application (8 copies); and

7. Additional document to complete and attach to this Variance Application: Standards Form for Dimensional Variance Application; **or** Standards Form for Use Variance Application.

Applicant/Property Owner (if not the Applicant) Request and Affirmation:

The Applicant/Property Owner request that Kearney Township (the “Township”) review this application, applicable Standards Form, Site Plans, Building Elevation and Floor Plans, Survey, and any additional related documents. By signing below, the Applicant and Property Owner affirm that the following statements are correct and agree to comply with the provisions of the Township Zoning Ordinance, including any conditions required by the Township Zoning Board of Appeals, to approve this application.

1. That the Applicant is the Property Owner of the subject property or has been authorized in writing, by the Property Owner, to act on Property Owner’s behalf with respect to this Application.
2. That the answers and statements contained in this application, standards form, related documents, and site plans are true and correct in all respects, to the best of Applicant/Property Owner’s knowledge.

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3. That the Property Owner, if not the Applicant, grants the Zoning Administrator and the Zoning Board of Appeals' members the right to access the subject property for the sole purpose of evaluating the application.

Applicant Name (printed)

Applicant Signature

Date:

If Applicant is not the Property Owner:

Property Owner Name (printed)

Property Owner Signature

Date:

DO NOT WRITE BELOW THIS LINE

Zoning Administrator acknowledges receipt of the following fees and that the Application/Standards Form and all associated documents were forwarded to the Zoning Board of Appeals members on _____, 202__:

Application Fee: \$_____ Special Meeting Fee (if applicable): \$_____

Receipt # _____

Signature: _____ Date: _____
Zoning Administrator

Zoning Board of Appeals determined on _____, 202__ that the Application is:

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Dimensional Variance Review Standards Form

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, explain how the proposed project meets each of the following standards. Attach additional pages if necessary. A dimensional variance may only be granted by the ZBA based on a determination that there is evidence of practical difficulty with a finding that all of 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 Zoning District or in the general vicinity.

- a. **Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property.

____ Not Applicable ____ Applicable. If applicable, describe below:

and/or

- 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:

and/or

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

____ Not Applicable ____ Applicable. If applicable, describe below:

and/or

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 Zoning District and in the neighboring area.

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.

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Standard #4. No Substantial Detriment.

Explain how the variance, if granted, would not cause substantial detriment to the adjacent property and the surrounding neighborhood.

Standard #5. Master Plan/Zoning Ordinance.

Explain how the variance, if granted, is consistent with, and does not materially impair, the purpose and intent of the Master Plan and the provisions of the Zoning Ordinance.

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Use Variance Review Standards Form

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed use variance meets the required standards for approval. A use variance may only be granted by the ZBA based on a determination that there is evidence of an unnecessary hardship with a finding that all of the following conditions are met. In the space below, explain how the proposed project meets each of the following standards. Attach additional pages, if needed.

Standard #1. Uniqueness.

Explain how the condition, location, or situation is unique to that property and the Zoning District.

Standard #2. Not Self-Created.

Explain how the need for the variance was not created by an action or inaction by the applicant or the predecessors in title.

Standard #3. No Substantial Detriment.

Describe how the variance, if granted, would not alter the essential character of the neighborhood, nor be a detriment to the adjacent properties.

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Standard #4. Cannot be Reasonably Used.

Explain how the land, building or structure cannot be reasonably used for any of the uses allowed in the Zoning District.

Standard #5. Master Plan/Zoning Ordinance.

Explain how the variance, if granted, is consistent with, and does not materially impair, the purpose and intent of the Master Plan and the provisions of the Zoning Ordinance.
