

## Casco Township Zoning Board of Appeals – Information Sheet

1. The Zoning Board of Appeals consists of 5 members who are residents of the Township, the first member of the Board of Appeals being a member of the Planning Commission, the second member may be a member of the Township Board, and the other three being selected and appointed by the Township Board from among the electors residing in the Township.

2. The Board of Appeals is empowered by Township ordinance and State law to grant a variance from the requirements of the Zoning Ordinance only when it finds, from reasonable evidence, that certain facts and conditions involved in complying with the requirements of the ordinance are met, all as outlined in the attached sheet, Page 3.

3. The Board shall have power to:

Hear applications where it is alleged that an error or misinterpretation of the Zoning Ordinance by any official charged with the enforcement of the Ordinance.

Adjudicate applications for variances for property with exceptional narrowness, shallowness, or unusual shape or by reason of exceptional topographical conditions or non-dimensional characteristics, extraordinary conditions of land, buildings, or development of adjacent properties, where there are practical difficulties or unnecessary hardship in carrying out the literal enforcement of the Ordinance. (Section 20.08)

4. After the Hearing is closed, the ZBA takes each case under advisement. The applicant is then notified after a decision is made.

5. An applicant for a zoning variance must submit a complete application, 8 full sets of information, and the \$700.00 application fee, made payable to Casco Township.

6. In addition to the application, the applicant must submit the following materials:

- A. A legal description of the property being proposed for the variance.
- B. A summary explaining the need for the variance being sought.
- C. An abbreviated, scaled, site plan showing the nature of the variance request, including, but not limited to:
  - 1) Property boundaries
  - 2) Existing and proposed buildings or structures
  - 3) The distance from the property lines of each existing building or structure and of each proposed building or structure
  - 4) Unusual physical features of the site, building or structure
  - 5) Abutting street

7. A variance request should be submitted to Zoning Administration at least 28 days prior to the desired Zoning Board of Appeals date. This time frame is necessary due to the State law requirements for advertising in the newspaper and providing public notice to property owners within 300 feet of the variance request.

8. Your attendance to the public hearing is required. If you cannot attend, you should have someone attend on your behalf.

9. Once you have gathered all the information required, submit to: Tasha Smalley, Zoning Administrator  
Twp. Hall: 7104 107<sup>th</sup> Ave., South Haven, MI 49090 269-637-4441 Ext. 7  
MTS-Allegan: 111 Grand St. Allegan, MI 49010 1-800-626-5964  
Email [mtsalligan@frontier.com](mailto:mtsalligan@frontier.com) with questions

# Casco Township Zoning Board of Appeals

7104 107<sup>th</sup> Ave., South Haven, MI 49090 Zoning Administrator: 269-673-3239

Application to the Zoning Board of Appeals to authorize a variance from the requirements of the Zoning Ordinance.

To the Zoning Board of Appeals: Request is hereby made for permission to:

Extend:	Use:
Erect:	Convert:
Alter:	Parcel #:

Contrary to the requirements of Section(s) \_\_\_\_\_ of the Zoning Ordinance, upon the premises known as \_\_\_\_\_ and described as: \_\_\_\_\_ (attach legal description)

### The following is a description of the proposed use:

Name of Applicant (if different from the owner) \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

### Interest of Applicant in the premises:

Name of Owner(s) \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

Approximate property dimensions, size \_\_\_\_\_

Proposed use of building and/or premises \_\_\_\_\_

Present use of building and/or premises \_\_\_\_\_

Size of proposed building or addition to existing building, including height \_\_\_\_\_

Has the building official refused a permit? \_\_\_\_\_

If there has been any previous appeal involving the premises; state the date of filing, nature of the appeal and disposition of same. (use separate sheet)

Since a variance cannot be authorized by the Board of Appeals unless it finds reasonable evidence that all of the following conditions exist, it is imperative that you give information to show that these facts and conditions do exist. (Reference Section 20.08 of the Zoning Ordinance for additional requirements).

1. Granting the variance will not be contrary to the public interest and will ensure that the spirit of the Ordinance is observed.

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2. The variance is being granted with a full understanding of the property history.

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3. Granting the variance will not cause a substantial detriment to property or improvements in the vicinity or in the district in which the subject property is located.

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4. The variance request is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for those conditions reasonably practical.

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5. That there are practical difficulties in the way of carrying out the strict letter of these regulations which are caused by exceptional or extraordinary circumstances or conditions applying to the property involved, or to the intended use of property, that do not generally apply to other property or uses in the vicinity in the same zoning district. Exceptional or extraordinary circumstances include any of the following:

- a. Exceptional narrowness, shallowness or shape of a specific property on the date of this ordinance.
- b. Exceptional topographical conditions.
- c. By reason of the use or development of the property immediately adjoining the property in question.
- d. Any other physical situation on the land, building or structure deemed by the ZBA to be extraordinary.

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6. That granting the variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity in the same zoning district.

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7. That the variance is not necessitated as a result of any action or inaction of the applicant.

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8. The variance if granted, would be the minimum departure necessary to afford relief.

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9. If involving a platted subdivision, that there is no practical possibility of obtaining more land and the proposed use cannot be located on the lot such that the minimum requirements are met.

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Signature of Applicant & Owners (all owners must sign) \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

*Note: Incomplete applications will be returned*