

**CASNOVIA TOWNSHIP**  
 245 S. Canada Rd.  
 Casnovia, MI 49318  
 Phone (616)675-4064 Fax (616)675-5611

**APPLICATION FOR ZONING VARIANCE  
 ZONING BOARD OF APPEALS**

An application must be complete including the application filing fee and returned to Casnovia Township Zoning Administrator before a hearing date will be set.

**Non refundable application fee for Public Hearing: \$400.00. Fee Paid \_\_\_\_\_**

**APPLICANT INFORMATION**

**A. Applicant.** Identify the person or organization requesting the variance:  
 Name: \_\_\_\_\_ Home phone: (\_\_\_\_) \_\_\_\_\_  
 Organization: \_\_\_\_\_ Business phone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

**B. Property Owner.** (if different from applicant) Identify the person or organization that owns the subject property:  
 Name: \_\_\_\_\_ Home phone: (\_\_\_\_) \_\_\_\_\_  
 Organization: \_\_\_\_\_ Business phone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

**PROJECT & PROPERTY INFORMATION**

**C. Property Location & Description:**  
 Parcel Address: \_\_\_\_\_  
 Parcel Number: **61-13-** \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Zone District:     A-1    A-2    R-1    R-2    R-3    C-1    I-1  
 Lot Size: Width: \_\_\_\_\_ ft. Depth: \_\_\_\_\_ ft. Area: \_\_\_\_\_ (sq. ft. or acres).  
 Current use of property:  
 \_\_\_\_\_  
 \_\_\_\_\_

**Legal Description:** *Please attach copy to application. Include copy of survey if available.*

**D. Project Information & Description:**  
 Summary: This variance request proposes the following: *State exactly what is proposed to be done on, or with the property, or which otherwise necessitates a variance from the requirements of the Zoning Ordinance(attach sheet if necessary):*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Requested Non-Use Variance:** Indicate below the **Zoning Ordinance section number(s)** which are the subject of this variance request:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

**F.** Additional comments in support of the variance request:

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**REQUEST & AFFIDAVIT:**

**G.** Applicant must read the following statement carefully and sign the application below. The undersigned hereby requests that the Casnovia Township Zoning Board of Appeals review this application and approve a variance from the provisions of the Zoning Ordinance for the express purpose described above. Further, the applicant affirms and acknowledges the following:  
*That the applicant has legal interest in the property as described in "Applicant Information" section of this application and that the granting of the requested variance or other decisions favorable to the undersigned does not relieve the applicant from compliance with all other provisions of the Zoning Ordinance or other codes or statutes. That the applicant will comply with any and all conditions imposed by the Zoning Board of Appeals in the granting of the requested variance or other decisions favorable to the undersigned. That the answers and statements contained in this application and in the attachments are in all respects true and correct to best of his, her or their knowledge and belief. That permission is given to Township employees and Zoning Board of Appeals members to enter the property to inspect the property, pertinent to provisions of this application and for compliance with the ordinance.*

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

\_\_\_\_\_  
Date

**If the applicant is not the property owner,** the property owner must read the following and sign below:

*The undersigned hereby affirms and acknowledges that he, she or they are the owner(s) of the property described in the application, are aware of the contents of this application, and hereby authorize the applicant to submit this application and represent the undersigned in the matter being reviewed before the Zoning Board of Appeals.*

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

\_\_\_\_\_  
Date

**VARIANCE JUSTIFICATION**

**H.** Article 20, Section 20.09 Variances indicates that a **non-use variance** may be granted when evidence establishes that there are “practical difficulties” in carrying out the strict letter of this Ordinance and only when all of the following conditions are found to be met:

1. That the strict compliance with the Ordinance would either prevent improvement of the property in a manner which is reasonable customary and consistent with other properties in the area, or cause practical difficulty in strict compliance with the Ordinance, which would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
2. That relief would not be a substantial detriment to adjacent property or change the essential character of the area, and would not materially impair the purposes of this Ordinance or the public interest.
3. That the problem complained of is not self-created, nor created by the applicant’s predecessor in interest to the property in question.
4. That the variance is requested to address exceptional and extraordinary circumstances or conditions applying to the property itself, such as narrowness, shallowness, shape, water or topography and is not due to the applicants personal or economic difficulty.
5. That the variance requested is the minimum necessary to address the practical difficulty complained of. If the Zoning Board of Appeals finds that a variance is justified, but that the extent of the variance requested is greater than necessary to address practical difficulty, the Zoning Board of Appeals may approve a lesser variance than applied for.

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**FOR TOWNSHIP USE ONLY**

Date the complete application received: \_\_\_\_\_ Fees Paid: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

Zoning Board of Appeals decision: \_\_\_\_\_

Comments or special conditions: \_\_\_\_\_

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

\_\_\_\_\_  
Zoning Administrator / Township Official

\_\_\_\_\_  
Date

**INSTRUCTIONS FOR FILING AN APPLICATION  
FOR APPEAL OR VARIANCE:**

In order to review your request, the members of the Zoning Board of Appeals and the general public need to have information about your request. An incomplete application will not be accepted and may delay the proposed project. Please read carefully and submit all of the following information:

**MEETING REQUIREMENTS:**

- 1. Applications** must be completed and submitted to the Zoning Administrator, together with required fee and supportive materials, **at least four (4) weeks** prior to the Zoning Board of Appeals (ZBA) meeting at which the petition is to be considered.
  
- 2.** The ZBA meets **by applicant demand** on an as-needed basis normally on the third Thursday of the month. Final hearing dates and times are determined by hearing notice requirements and availability of ZBA members. All meetings of the Zoning Board of Appeals are held at the Township Office Meeting Room, 245 S. Canada Rd., Casnovia, MI 49318 unless you are otherwise informed.
  
- 3. A filing fee of \$250.00 must be included with application.** Checks must be payable to Casnovia Township. The filing fee is not refundable. The fee is applied toward the cost of processing the appeal and notifying neighbors.
  
- 4.** The meeting will be advertised as a **public hearing**, and the Board will hear the petitioner and/or a specified petitioner representative and all other interested parties who may appear and wish to be heard. Notice of the meeting will be mailed to other property owners and occupants located within three-hundred (300) feet of the property. Notice of the meeting will also be published in the Advance Newspaper, or other newspaper of general circulation in the Township, not less than fifteen (15) days before the hearing..
  
- 5.** As soon as practicable during or after the public hearing, the ZBA will submit its **decision of approval, disapproval or approval with conditions**. Any such conditions will be set forth in writing and will be transmitted to the petitioner and/or representative in a timely manner after the proposed meeting minutes have been written by the ZBA secretary.
  
- 6.** The concurring vote of a majority of the members of the ZBA is necessary to decide in favor of the applicant in any matter upon which they are required to act or reverse an order, requirement, decision or determination of any administrative official.

**SUPPORTIVE MATERIALS REQUIRED:**

- 1.** Eight (8) copies of a dimensioned site plan showing any existing or proposed buildings or additions and their existing or proposed setback from the property lines. See the "Site Plan" section of this application for more information.
- 2.** A brief history of the property or past uses of the building, previous variances granted (if known), and other relevant information.
- 3.** A written description of the proposed use.
- 4.** Proof of ownership, which may consist of a copy of a deed or other acceptable instrument. *If you are not the property owner, it is necessary for you to obtain permission of the owner to apply for the variance.* A place is provided in the application for the owner to read and sign.

### **SITE PLAN REQUIREMENTS**

A site plan is a map of the property showing existing conditions and proposed changes. New residential, commercial, industrial, institutional buildings, building additions, and parking lots require a professionally drawn site plan, drawn to scale. Residential additions and requests involving the reuse of existing buildings may submit hand-drawn plans, but these must be accurately dimensioned or scaled. It is recommended that the site plan be based on an accurate property survey. The site plan must be at a suitable scale and be no larger in size than 24" x 36' and no smaller than 8" x 11". The site plan must show all data pertinent to the proposed variance and shall include at least the following:

- Date of the drawing.
- Scale.
- Name of person or firm who drew the plan.
- Locations and dimensions of property lines, abutting rights-of-way, easements, setbacks, off-street parking, proposed landscape and existing and/or proposed structures.
- The location of other existing and proposed improvements such as fencing, exterior lighting, etc. if applicable.
- The location, dimensions, and setback of existing and proposed signs.

In addition to the required site plan information, the following may be helpful to the Board members in understanding your request:

- Photographs of the land or structure that show the special conditions or circumstances described in the application.
- Photographs / maps that show how other properties in your area enjoy the same type of property rights you are asking for.