



CLAY TOWNSHIP ZONING BOARD OF APPEALS APPLICATION FOR HEARING

LOCATION OF PROJECT: _____

PARCEL #: _____ LOT #: _____ CURRENT ZONING DISTRICT _____

LEGAL DESCRIPTION: _____

OWNER: _____ PHONE: _____

ADDRESS: _____

APPLICANT: _____ PHONE: _____

ADDRESS: _____

EMAIL ADDRESS: _____

I HAVE READ ARTICLE XXVII OF THE CLAY TOWNSHIP ZONING ORDINANCE 126 REGARDING THE ZONING BOARD OF APPEALS. MY APPEAL IS TO REQUEST A VARIANCE OF SECTION _____

I BELIEVE MY REQUEST SHOULD BE GRANTED FOR THE FOLLOWING REASONS:

- PRACTICAL DIFFICULTY
- DEPRIVE THE OWNER RIGHTS BY OTHERS IN SAME DISTRICT
- WILL NOT ALTER ESSENTIAL NEIGHBORHOOD CHARACTER
- CONDITIONS & CIRCUMSTANCES UNIQUE TO THE PROPERTY NOT CREATED BY OWNER

ATTACH EIGHT (8) COPIES OF A SURVEY (WHICH IS REQUIRED TO APPLY FOR A HEARING BEFORE THE ZONING BOARD OF APPEALS), LOT DIAGRAM, BUILDING PLANS OR ANY OTHER DOCUMENTARY MATERIAL PERTINENT TO YOUR CASE, ALONG WITH THE APPLICATION FEE OF \$250.00 (NON-REFUNDABLE) WHEN THIS APPEAL IS FILED. ALL DRAWINGS MUST BE TO SCALE.

AFFIDAVIT BY OWNER OR AUTHORIZED AGENT

THE UNDERSIGNED BEING DULY SWORN, DEPOSES AND SAYS THAT THE FOREGOING STATEMENTS AND ANSWERS HEREIN CONTAINED AND ALL ACCOMPANYING INFORMATION AND DATA ARE IN ALL TRUE AND CORRECT TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

SUBSCRIBED AND SWORN TO BEFORE ME THIS

_____ DAY OF _____ 20____

Applicant's Signature Date

NOTARY PUBLIC, ST. CLAIR COUNTY, MI

MY COMMISSION EXPIRES: _____

I HEREBY GRANT PERMISSION FOR MEMBERS OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS TO ENTER THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSES OF GATHERING INFORMATION RELATED TO THIS APPLICATION OR REQUEST.

Applicant's Signature Date

ANY DECISIONS OF THE ZONING BOARD OF APPEALS FAVORABLE TO THE APPLICANT WILL REMAIN VALID AS LONG AS THE INFORMATION OR DATA RELATING THERETO ARE FOUND TO BE CORRECT AND THE CONDITIONS UPON WHICH THE RESOLUTION WAS BASED ARE MAINTAINED.

\$ _____ FEE PAID

Clay Township Treasurer Date

Zoning Board of Appeals

Supplemental Information

Please complete each of the following items which correspond to the findings required for variance approval in Section 27.05, subsections 3 a, b, c, d, e of the Zoning Ordinance. It is your responsibility to provide a detailed and complete response to each approval standard. **THIS SUPPLEMENTAL SHEET MUST BE COMPLETED AND RETURNED WITH YOUR APPLICATION AT LEAST TWO WEEKS BEFORE YOUR SCHEDULED MEETING DATE. FAILURE TO MEET THIS DEADLINE COULD RESULT IN POSTPONEMENT OF YOUR VARIANCE REQUEST.**

1. **Practical Difficulty:** A practical difficulty exists on a site generally as physical characteristics such as exceptional narrowness, shallowness, shape or area; presence of floodplains or exceptional topographic conditions and strict compliance with the zoning ordinance would prevent the owner from using the site for a permitted use or would render conformity unnecessarily burdensome. Meeting this standard requires the variance to be related to the characteristics of the property and not to the personal situations of the applicant.

2. **Unique Situation:** The demonstrated practical difficulty results from special or extraordinary circumstances that exist which are peculiar to the land, structure or building involved and are not generally applicable to other lands, structures or buildings in the same district.

3. **Not Self - Created:** The conditions resulting in a variance request cannot be self - created and would have existed regardless of ownership of the property.

4. **Substantial Justice:** The variance would provide substantial justice by granting property rights similar to those properties in the vicinity and in the same zoning district. It would not confer special privileges denied to other properties in the zoning district. The result of the variance should not be potentially harmful to adjacent properties such as restricted access or view, noise, lights or any other effect not normally experienced by property owners in similar circumstances.

5. **Not Contrary to the Ordinance:** The requested variance should not undermine the purpose and intent of the zoning ordinance as it relates to adjoining properties. In this context, the variance requested must be the minimum necessary to afford relief.
