



6878 Belding Road NE, Rockford, MI 49341 \* Ph. (616) 874-6966 \* Fax: (616) 874-8940 \* www.cannontwp.org

### DIMENSIONAL VARIANCE APPLICATION – PART 1

Application Date \_\_\_\_\_

Property Owner Name \_\_\_\_\_

Property Address: \_\_\_\_\_ PPN: 41-11-\_\_\_\_\_

City \_\_\_\_\_ ZIP \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Zoning District RR R-1 LR R-2 R-3 C-1 C-2 I (Please circle)

Cannon Township Zoning Ordinance Section being appealed: \_\_\_\_\_

Please describe the nature of your appeal:  
\_\_\_\_\_  
\_\_\_\_\_

**Please Attach the Following:**

- 1. Legal Description**
- 2. Survey of Property and Proposed Construction**
- 3. Elevation drawings of proposed construction**
- 4. Any maps or photos you wish to include**
- 5. Responses to Part 2 of the application**

1. Does land use conform to current zoning? Yes No N/A

2. Does existing structure conform to current zoning? Yes No N/A

3. Current use(s) of adjoining properties \_\_\_\_\_

4. Who will represent applicant? \_\_\_\_\_

5. What is applicant's interest in property? \_\_\_\_\_

6. Is this requested set back the minimum variance needed? \_\_\_\_\_

**I GRANT PERMISSION FOR ZONING BOARD MEMBERS TO MAKE AN ONSITE INSPECTION OF THE PROPERTY.**

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

**SECTIONS FROM THE CANNON TOWNSHIP ZONING ORDINANCE**

**PLEASE READ CAREFULLY BEFORE COMPLETING PART TWO OF THE APPLICATION**

**ZONING BOARD OF APPEALS – CHAPTER 31.06 TYPES OF AVAILABLE RELIEF**

The zoning board of appeals shall have authority to hear and decide appeals and other application for relief as follows:

- A. Cases in which it is alleged that there is error or misinterpretation in any order, decision or determination made by the zoning administrator or any other person authorized to administer the provisions of this Ordinance.
- B. Cases in which it is alleged that there are practical difficulties in carrying out the requirements of this Ordinance by reason of: (i) the exceptional narrowness, shallowness or shape of a lot or parcel of land; (ii) exceptional topographic conditions or (iii) extraordinary dimensional conditions of land, buildings or structures.
- C. Cases in which it is alleged that there is unnecessary hardship in carrying out the requirements of this Ordinance as to the use of land, a building or structure, or any of them in combination.

**Section 31.07 DIMENSIONAL VARIANCES.**

If there are practical difficulties in carrying out the requirements of this Ordinance because of the dimensional characteristics of a lot or parcel of land, a building or structure, or any of them in combination, the Board of Appeals may grant a dimensional variance in accordance with this Section, so that the spirit of this Ordinance is observed, public safety secured and substantial justice done, but only if the applicant demonstrates through competent, material and substantial evidence on the record that all of the following exist:

1. That there are practical difficulties in complying with the requirements of this Ordinance with respect to the dimensional characteristics of a lot or parcel of land, a building or structure, or any of them in combination, because of exceptional or extraordinary physical conditions involving land, a building or structure, or any of them.  
  
A practical difficulty resulting from an exceptional or extraordinary condition may include, for example, the exceptional narrowness, shallowness, shape or area of land; exceptional conditions in the elevations of land; the presence of unbuildable areas, such as wetlands or a floodplain; or other exceptional or extraordinary physical condition of the land or a building or structure.
2. That there are exceptional or extraordinary conditions or circumstances which are peculiar to the land, structures or buildings involved, and which are different from those of typical properties in the same zoning district.
3. That compliance with specified provisions of this Ordinance would deprive the applicant of property rights commonly enjoyed by the owners or users of other properties in the same zoning district.
4. That the grant of the requested variance would not be substantially detrimental to other lands and land uses and would not be contrary to the spirit and purpose of this Ordinance.



## **Cannon Township Dimensional Variance Application – Part 2**

### **Supplemental Application Questions and Criteria for Granting Variance**

**Please attach response:**

**Describe how the property/request demonstrates the following criteria:**

- a) Exceptional or extraordinary circumstances or conditions. An exceptional or extraordinary circumstance or condition exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain or wetlands; or exceptional topographic conditions) and strict compliance with the requirements of this chapter would render conformity unnecessarily burdensome. The unique or exceptional condition shall apply only to the characteristics of the subject site and not to the applicant personally. Economic hardship or profit potential are considerations for demonstrating a unique or exceptional condition.
  
- b) Unique situation. The exceptional or extraordinary circumstances or conditions applying to the subject site at the time the ordinance was adopted or amended are unique to the site and are different than typical properties in the same zoning district or the vicinity.
  
- c) Not self-created. That the immediate practical difficulty causing the need for the variance request was not created by any affirmative action of the applicant or recent owner and would have existed regardless of ownership of the property.
  
- d) Substantial justice. The request, if granted, would provide substantial justice by preserving property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special rights not enjoyed by other properties in the same district, or which might result in significant adverse effects on properties in the vicinity, such as the supply of light and air, significant increase in traffic, increased odors, and increase in the danger of fire, or other activities which may endanger the public health, safety, or welfare.
  
- e) Minimum variance necessary. The variance shall be the minimum necessary to grant relief created by the practical difficulty.

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**PROCEDURES AND POLICIES**

1. **Meeting Dates:** Regular meetings are held on third Tuesday of the month.
2. **Meeting Attendance:** The applicant or representative of the applicant **MUST** attend all hearings related to the application.
3. **Application Submittal Deadline:** ONE MONTH PRIOR TO MEETING DATE. The zoning administrator must publish a public hearing notice in a newspaper of general circulation at least 15 days prior to the meeting, as well as send public hearing notice post cards to all owners of real property within 300' of the parcel in question.
4. **Application Fee:** \$450.00 to be paid at time of application submittal.
5. **Initial Escrow Deposit:** \$500.00 to fund publication and consulting costs. This deposit must be paid at time of application submittal. Remaining funds will be reimbursed to the applicant.
6. **Special Meetings:** \$500.00 to be paid at time of application. Special meetings are held at the request of the applicant.
7. **Refunds/Withdrawals:** Request to withdraw applications must be in writing. A refund of the application fee will be made if the written request is received a minimum of ten (10) days prior to the scheduled hearing.

**APPLICATIONS MUST BE COMPLETE.**

**APPLICATIONS WILL NOT BE PROCESSED IF  
ANY DOCUMENTATION IS MISSING.**

**PLEASE HAVE THE PROPERTY STAKED SHOWING  
PROPERTY LINES AND THE AREA OF PROPOSED CONSTRUCTION.**

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