



GRAND HAVEN CHARTER TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION

Application Type	Fee	Escrow*
Variance or Appeal	\$250	\$300
603 Exemption	\$250	\$300

Application Type	Fee	Escrow*
Special Meeting	\$425	n/a
Interpretation	\$125	n/a

The full zoning ordinance can be found at www.gh.org/zoning.

* To cover cost of legal and consulting fees, may be increased as necessary

Applicant/Appellant Information

Name _____
 Phone _____
 Address _____
 Email Address _____

Owner Information (If different from applicant/appellant)

Name _____
 Phone _____ Email _____
 Address _____
 Email Address _____

Property Information (Include a survey or scaled drawing)

Address _____
 Parcel No. 70 - - - - Current Zoning _____
 Lot Width _____ Lot Depth _____
 Parcel Size _____ Parcel Size _____

General Information (Check one)

- () Application for Variance
- () Request for Interpretation
- () Notice of Appeal

NOTE: Please provide a scaled drawing with details of your proposed work including the dimensions of any structures (i.e. height, width & length), building materials, the setbacks to ALL property lines, and other existing structures on the parcel, and any other relevant information, as needed.

VARIANCE REQUESTED (If applicable)

1. Attach a Narrative: Description of Request; Why it is needed; and Addresses each of the 4 Standards
2. Variance Requested From the Requirements of Section Number(s) _____
3. Relating to _____
4. Structure/Land Use (After Variance) _____
5. Overall Building Size (After Variance) _____
6. Setbacks from lot lines (After Variance):
 - a. Front Yard _____ feet
 - b. Rear Yard _____ feet
 - c. Side Yard #1 _____ feet
 - d. Side Yard #2 _____ feet

RELEASE FORM

The undersigned has applied to the Grand Haven Charter Township Zoning Board of Appeals for a variance. The undersigned hereby authorizes the members of the Zoning Board of Appeals and appropriate Township staff members to inspect the property (*address stated below*) at reasonable times, in regards to the consideration of my request for a variance.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Applicant's Signature

Date

Owner's Signature (if different from applicant)

Date

Property Address

For Office Use Only

Date Received _____

Fee Paid? _____

ACTION TAKEN BY TOWNSHIP BOARD OF APPEALS

() Application Approved

() Application Denied

Description of variance granted or other action taken including conditions imposed, if any:

Grounds for Board action including findings as to standards and requirements prerequisite to imposition of conditions under ordinance:

Signature of ZBA Chairperson

Date



VARIANCES.

- (A) **Dimensional Variance.** Except as otherwise provided, to authorize a non-use or dimensional variances from the strict applications of the provisions of this Ordinance, the Zoning Board of Appeals shall apply the following standards and shall make an affirmative finding as to each of the matters set forth in each of such standards:
- (1) That there are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning classification: Exceptional or extraordinary circumstances or conditions include:
 - (a) Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance, or amendment thereto;
 - (b) Exceptional topographic conditions;
 - (c) Any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; or
 - (d) By reason of the use or development of the property immediately adjoining the property in question
 - (2) That such 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 vicinity, provided that possible increased financial return shall not of itself, be deemed sufficient to warrant a variance.
 - (3) That authorization of such variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.
 - (4) That the condition or situation of the specific piece of property or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such condition or situation, a part of this Ordinance.



EXEMPTIONS TO REAR YARD SETBACKS IN CERTAIN CIRCUMSTANCES.

- (B) **Authority of Zoning Board of Appeals.** In some circumstances, Main Buildings extending into the required rear setback may be authorized by the Zoning Board of Appeals pursuant to Section 603 of the Michigan Zoning Enabling Act.
- (C) **Approval Criteria.** In order to qualify for an authorization under this Section, the application must meet the following criteria. The criteria for approving a variance shall NOT apply to these requests, and any approval by the ZBA shall not be considered a variance from this Ordinance.
- (1) The lot in question must be in the R-2 zoning district.
 - (2) The lot in question must be fifteen thousand (15,000) square feet or less in area.
 - (3) The square footage of the footprint of the portion of the Main Building extending into the required rear yard, plus the total square footage of the footprints of all Accessory Structures on a Lot shall not be more than the amount of square footage of Accessory Structures allowed by right. Once constructed, the square footage of the Main Building extending into the required rear yard shall be included in the calculation of total square footage of Accessory Structures, when determining whether a new Accessory Structure may be constructed on the lot.
 - (a) See [Section 10.01.C.7](#) for the maximum square footage of Accessory Structures permitted on a given lot.
 - (b) The ZBA will require a restrictive covenant, such as a deed restriction, recorded with the Ottawa County Register of Deeds, indicating the restriction on the size (and potentially, the number of) accessory structures on the lot, based on the requirements of this Section.
 - (4) The portion of the Main Building within the required rear setback shall meet the required side setback for a Main Building, and no less than forty percent (40%) of the required rear yard setback. Further, the requirements of [Section 10.04.C](#) shall still apply to any deck extending from the projection into the required yard, so no deck may extend closer to the rear lot line than forty percent (40%) of the required rear setback.
 - (5) The footprint of the portion of the Main Building within the required rear yard shall not exceed twenty-five percent (25%) of the footprint of the Main Building that is not within the required rear yard.
 - (6) The Board of Appeals shall have the authority to require landscaping when deemed appropriate when considering the nature of the area.
 - (7) All of the Buildings and Structures on the Lot shall not exceed the Lot Coverage standards of the underlying Zoning District.
 - (8) The portion of the Main Building within the required rear yard shall generally be compatible with the architecture style and Building form of the Main Building, as well as generally compatible with the architecture style of the surrounding buildings on adjacent lots.
 - (9) The area, height, and massing of the proposed Accessory Building or Structure shall be proportional to the overall area of the Lot upon which it is placed and consistent with other residential Buildings or Structures in the surrounding neighborhood. The building height shall not exceed the maximum height in the R-2 district for Main Buildings.
 - (10) The Accessory Building or Structure shall be located in such a manner as to not cause a storm water runoff nuisance on adjacent property.