



For Zoning Administration Use
Date Received _____
Case # _____
Receipt # _____ Date _____
Hearing Date _____

**TOWNSHIP OF MUNISING
PETITION FOR A VARIANCE APPLICATION**

Please complete the application, include a check in the amount of \$250.00, payable to Munising Township, and mail to the following:

Township of Munising
PO Box 190
Wetmore, MI 49895

Zoning Administrator
(906) 387-4404
muntwpza@jamadots.com

Applicant Email Address _____

Applicant _____

Street/Box _____

City _____

State/Zip _____

Daytime Phone _____

Address of Property Involved _____

Property Identification Number: 02-006-_____-_____-_____

Complete Legal Description of Site: T____N, R____W, Section _____,

Existing Use of Property _____

Proposed Use of Property _____

Variance Requested _____

Applicable Section(s) of the Zoning Ordinance (see attached) _____

State reasons property cannot be used or structure cannot be placed in compliance with the Zoning Ordinance: (You are required to demonstrate a physical hardship or practical difficulty before a variance can be granted; mere inconvenience is not sufficient to meet statutory requirements. Hardship means that the zoning is so restrictive that no reasonable use of the land or structure is permitted; practical difficulty generally means inability to meet dimensional requirements due to unique characteristics of the site.) _____

Site Plan: Please draw to scale. Use a separate sheet.

1. Show lot line and dimension.
2. Show existing and proposed buildings – label, give dimensions, and identify use of each building.
3. Show distances between buildings and lot line.
4. Show right-of-way's, easements, and access roads.
5. Show natural features affecting development.
6. Show man-made features affecting development.
7. Draw an arrow pointing North.

I grant the Zoning Administrator, Kathleen Lindquist, permission to inspect the site and/or take photographs prior to the hearing date.

Owner's Signature

Date

Agent's Signature

Date

ZONING BOARD OF APPEALS ACTION

Variance **APPROVED** _____

Variance **DENIED** _____

Conditions as per Sections _____

Remarks _____

Chair, Munising Township Zoning Board of Appeals

Date

Members Present:

Section 1205 Variance

- A. The Zoning Board of Appeals shall have the power and duty to authorize a variance from the provisions of this Ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship or practical difficulty.
- B. The Zoning Board of Appeals shall not grant a variance unless the following conditions are met:
 - 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
 - 2. The literal interpretation of the provisions of this Ordinance would deprive the applicant of the rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;
 - 3. The special conditions and circumstances necessitating the variance did not result from the actions of the applicant; and
 - 4. The granting of the variance would not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- C. Any nonconforming use of neighboring lands, structures, or buildings shall not be considered grounds for the issuance of a variance.
- D. The Zoning Board of Appeals shall make findings that the applicant has met the requirements of this Section.
- E. The Zoning Board of Appeals shall further find that the reasons set forth in the application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- F. The Zoning Board of Appeals shall further find that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public interest.
- G. In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of this Ordinance.

- H. Under no circumstance shall the Zoning Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.
- I. In exercising the above mentioned powers the Zoning Board of Appeals may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm wholly or partly or may modify the order, requirements, decision, or determination appealed from and may make such order, requirements, decision, or determination as ought to be made, and to that end shall have the powers of the public official from whom the appeal was taken.
- J. Each variance granted under the provisions of this Ordinance shall become null and void unless the occupancy of land or building, or the construction authorized by such variance has commenced within one year after the granting of such variance.
- K. An extension of one year may be granted by the Zoning Board of Appeals if evidence of effort towards completion of the building, or occupancy of the land or building, has been shown and such request is made within 30 days and not more than 60 days before the expiration date.

Section 1206 Appeals

- A. Appeals concerning interpretation and administration of this Ordinance shall be made by filing a notice of appeal specifying the grounds thereof with the Zoning Administrator within a period of 30 days from the occurrence of the contested action. The Zoning Administrator shall furnish to the Zoning Board of Appeals copies of all papers constituting the record of the decision which is being appealed.
- B. A fee shall be paid to the Township at the time of filing the notice of appeal.
- C. Any party or parties may appear at the hearing in person or by agent or attorney.
- D. The Zoning Board of Appeals shall decide all matters within 10 working days. The decision of the Board shall be in the form of a resolution containing the full record of its findings and determinations in each case.
- E. All questions concerning the application of the provisions of this Ordinance shall first be presented to the Zoning Administrator. Such questions shall be presented to the Zoning Board of Appeals only by filing an appeal based on the decisions of the Zoning Administrator. Decisions of the Zoning Board of Appeals shall be considered final.
- F. Recourse from decisions of the Zoning Board of Appeals shall be to the Circuit Court of Alger County, as provided by law.