



VILLAGE OF MIDDLEVILLE APPLICATION FOR VARIANCE OR APPEAL

Village of Middleville, PO Box 69, 100 E Main St, Middleville MI 49333

The Zoning Board of Appeals (ZBA) shall act upon all questions as they may arise in the administration of the Zoning Ordinance. It shall hear and decide appeals from and review any order, requirements, decision or determination made by an administrative official or body charged with enforcement of said Ordinance. **The concurring vote of a majority of the ZBA is necessary to reverse an order, requirement, decision or determination of an administrative official of body or to decide in favor of the applicant on any matter upon which they are require to pass or to affect any variation in the Zoning Ordinance.** Any aggrieved person may take an appeal.

Contact: Brian Urquhart, Zoning Administrator
Phone: (269) 795-3385
Fax: (269) 795-8889
Email: urquhartb@villageofmiddleville.org

Project #VAR: _____
Fee: _____
Hearing Date: _____

Applicant's name: _____

Phone: _____ Email: _____

Address: _____

Agent's name (if not applicant): _____

Phone: _____ Email: _____

Name of owner (if different from applicant): _____

If Applicant is not the owner of the property for which the appeal is taken or variance proposed, has permission been granted from the property owner for this application?

- Yes No Not Applicable

The Appeal/Variance is being requested for the following described parcel: 08-41-_____

Address: _____

Legal Description: _____

Existing Zoning District: _____

The following information must be included with all applications:

1. Legal description/survey of subject parcel;
2. Please attach a site development plan that depicts the land affected by the appeal/variance;
3. Type of application (*see next page*):

I wish to appeal a decision from the Zoning Administrator which requires that; (Please refer to page 4 of this application to describe your appeal), _____

or

I wish to seek a variance from the Zoning Ordinance provisions which requires that; (Please list the section of the zoning ordinance pertaining to your request. Also refer to page 3 of this application for further instruction): _____

Signature of Applicant

Date

(Optional for property owner only) By my signature on this application, I hereby grant permission members of the Zoning Board of Appeals to enter the above describe property for the purpose of gathering information regarding to the application.

Signature of Property Owner

Date

*****FOR OFFICE USE ONLY*****

Filing Fee: _____ Cash Check # _____

File Number: _____

Date Received: _____

Received by: _____

Standards for Variance Review

Sec. 78-789 of the Village of Middleville Zoning Ordinance describes the standards for reviewing a dimensional variance. A dimensional variance is a variance pertaining to any practical difficulty in complying with the zoning ordinance based on the dimensional characteristics of a lot, parcel or property, exceptional topographic or other conditions of the land, buildings or structures. The Zoning Board of Appeals must make findings as to each of the 5 standards for a variance. A variance shall not be authorized unless the board makes findings, based upon competent material and substantial evidence on the whole record. In order to be approved, you must receive no less than three concurring votes.

Findings of Fact. Please provide a summary of facts pertaining to your Variance request
(attach additional sheets as necessary).

1. List any practical difficulties that arise from the enforcement of the literal requirements of the Zoning Ordinance: _____

2. Describe any special conditions or circumstances that exist which are peculiar to the land, structures or buildings involved and which are not applicable to other lands, structures or buildings in the same zoning district: _____

3. Describe how the literal interpretation of the provisions of this chapter deprive you (or the applicant) of property rights commonly enjoyed by other properties in the same zoning district: _

4. Described how the authorizing of such variance will not be of substantial detriment to adjacent or nearby lands, structures or buildings, and will not be contrary to the spirit and purpose of the zoning ordinance: _____

5. Describe how the special circumstances or conditions referred to in item 2 are not self-created by actions from you (or the applicant): _____

Appeal

If you are filing an appeal from a decision made by the Zoning Administrator or other administrative official charged with the enforcement of the Zoning Ordinance, please provide a summary of the facts in the space provide below (*attached additional sheets as necessary*): _____
