



# APPLICATION FOR DIMENSIONAL VARIANCE

Thornapple Township, 200 E. Main St., Middleville, MI 49333  
Phone: 269-795-7202 Fax: 269-795-8812  
Email: [zoning-administrator@thornapple-twp.org](mailto:zoning-administrator@thornapple-twp.org)

Variance # \_\_\_\_\_  
Hearing Date \_\_\_/\_\_\_/\_\_\_

## PROPERTY INFORMATION

Property Address: \_\_\_\_\_  
Parcel ID Number: \_\_\_\_\_ Zoning District \_\_\_\_\_ Wetlands Present? Y or N  
Parcel Size Frontage: \_\_\_\_\_ feet Depth: \_\_\_\_\_ feet Area: \_\_\_\_\_ [Acres or square feet]  
Legal Description of Property (attach if necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## APPLICANT INFORMATION

### 1. Applicant

Identify the person or entity requesting this variance:

Name: \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Organization: \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ E-Mail \_\_\_\_\_

### 2. Applicant Interest

The applicant must have a legal interest in the subject property, please check one below:

Property Owner  Purchase by Land Contract  Option to Purchase  Purchase Agreement  Lessee over 1 year

### 3. Property Owner Check here if applicant is also property owner

Identify person or entity that owns the subject property:

Name: \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Organization: \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ E-Mail \_\_\_\_\_

## DESCRIPTION OF VARIANCE REQUEST

1. Current Zoning District: \_\_\_\_\_
2. Section of Zoning Ordinance from which relief is being requested: \_\_\_\_\_
3. Check one or more:  
 Front yard setback  Side Yard setback

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## DESCRIPTION OF VARIANCE REQUEST - continued

4. Explain Specific Variance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## APPLICANT’S JUSTIFICATION FOR VARIANCE REQUEST:

*(attach added narrative or exhibits as desired)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## REQUEST & AFFIDAVIT

**The applicant must read the following statement carefully and sign below:**

*The undersigned requests Thornapple Township review the information included with this Appeal as provided by Article XXVII of the Zoning Ordinance. The applicant further affirms and acknowledges the following:*

- ✓ *That the applicant has a legal interest in the property relating to this Appeal, and*
- ✓ *The information and statements contained in this form and enclosures are in all respects true and correct to the best of his/her/our knowledge, and*
- ✓ *The approval of this Appeal does not relieve the undersigned and property owner from compliance with all other applicable provisions of the Zoning Ordinance or other applicable Township Ordinances and statutes does not constitute granting of a variance, and*
- ✓ *The applicant/undersigned will comply with any and all conditions imposed by the Zoning Board of Appeals if this Appeal is granted in whole or in part, and*
- ✓ *If the undersigned is acting as property owner or is the property owner, Township staff and members of the Zoning Board of Appeals are hereby granted right of access to the subject property for the sole purpose of evaluating this Appeal.*

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

If the Applicant is not the property owner, the property owner must sign below:

- Is/are aware of the content of this appeal, and
- Authorizes the applicant to submit this Appeal, and to represent him/her with the Township Zoning Board of Appeals, and
- Grants Township staff and members of the Zoning Board of Appeals the right to access the subject property for the sole purpose of evaluating this Appeal.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

**OFFICE USE ONLY:**

Appeal Fee \$ \_\_\_\_\_ Fee Paid by \_\_\_ Cash \_\_\_ Check Receipt # \_\_\_\_\_

Received by: \_\_\_\_\_ Date \_\_\_\_\_

## **ZONING ORDINANCE CRITERIA FOR GRANTING A DIMENSIONAL VARIANCE**

Section 27.6 of the Zoning Ordinance set forth the criteria on which the Zoning Board of Appeals (ZBA) may grant a variance in whole or in part. If a variance is granted, the ZBA may attach specific conditions to the variance.

Section 27.6 provides as follows:

### ***“Section 27.6 Dimensional Variances***

*If an applicant seeks a dimensional variance from the provisions or requirements of this Ordinance because of dimensional characteristics of the lot or parcel of land, or because of exceptional topographic or other conditions of the land, buildings or structures, the applicant must demonstrate through competent, material and substantial evidence on the whole record that all of the following exist:*

*(A) That the enforcement of the literal requirements of this Ordinance would involve practical difficulties.*

*(B) That special conditions or circumstances 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.*

*(C) That literal interpretation of the provisions of this Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same zoning district.*

*(D) That the authorizing of such variance will not be of substantial detriment to other lands and uses and will not be contrary to the spirit and purpose of this Ordinance.*

*(E) That the condition or situation of the property or the intended use thereof is not of so general or recurrent a nature as to make reasonably practicable a general regulation for the conditions or situation.”*