

**CITY OF MARQUETTE
BOARD OF ZONING APPEALS
VARIANCE APPLICATION**



CITY STAFF USE

Parcel ID#: _____ File #: _____
Receipt/INV #: _____ Check #: _____ Received by and date: _____
Hearing Date: _____ Application Deadline (including all support material): _____

- Location Sketch prepared by a surveyor submitted: Y / N (fence height or % of construction variance N/A)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, THE VARIANCE REQUEST WILL NOT BE SCHEDULED FOR A HEARING UNTIL IT HAS BEEN VERIFIED THAT ALL OF THE INFORMATION REQUIRED IS PRESENT AT THE TIME OF THE APPLICATION - NO EXCEPTIONS!

FEE SCHEDULE (We can only accept Cash or Check (Written to the City of Marquette))

1 or 2 Family Residential Units \$845
Commercial and all others \$1,120

If you have any questions, please call 228-0425 or e-mail alanders@marquettemi.gov. Please refer to www.marquettemi.gov to find the following information:

Board of Zoning Appeals page for filing deadline and meeting schedule
Excerpts from the Land Development Code

- **Section 54.1404:** Variances and Appeals
- Article 4 for setback and height information
- Article 9 for off street parking requirements

APPLICANT CONTACT INFORMATION

PROPERTY OWNER

Name: _____
Address: _____
City, State, Zip: _____
Phone #: _____
Email: _____

****APPLICANTS OR REPRESENTATIVES ARE STRONGLY ENCOURAGED TO BE PRESENT AT THE MEETING****

APPLICANT/OWNERS REPRESENTATIVE

Name: _____
Address: _____
City, State, Zip: _____
Phone #: _____
Email: _____

****APPLICANTS OR REPRESENTATIVES ARE STRONGLY ENCOURAGED TO BE PRESENT AT THE MEETING****

SURVEYOR

Name: _____ Address: _____ City, State, Zip: _____
Phone #: _____ Email: _____

*** A current survey (location sketch), prepared by a licensed surveyor and showing all existing and proposed construction must be submitted at least 20 business days prior to all public hearings involving dimensional variances.**

VARIANCES REQUESTED

Fence
 Signage
 Parking (location, # of spaces, screening)
 Zoning (building size, placement, etc.)

- Size/lot coverage _____
- Placement/Setbacks _____
- Height _____

Other _____

PROPERTY INFORMATION

Location (Street Address): _____
 Zoning District: _____
 Total area of site: _____
 Sq. ft. of Existing Building(s): _____
 Sq. ft. of Proposed Building(s): _____
 Number of floors: _____ Proposed Height: _____

SETBACKS

	Please circle the appropriate direction	REQUIRED <i>Please fill in the distance</i>	PROVIDED/ PROPOSED <i>Please fill in the distance</i>
FRONT	N S E W		
SIDE 1	N S E W		
SIDE 2	N S E W		
REAR	N S E W		

**EXISTING/PROPOSED USE
 (Check all that apply)**

Existing Use: _____
 Proposed Use: _____

Multifamily and non-residential development must undergo a formal site plan review - See Section 54.1402 of the Marquette City Land Development Code.

PRACTICAL DIFFICULTY

- Unique circumstances applying to the property.
- Not adversely affecting adjacent properties.
- Need for variance was not self-created.
- Variance is the minimum necessary.
- Not general or recurrent nature.
- Will not alter the essential character of the area.

State law authorizes the Board of Zoning Appeals upon finding that there are practical difficulties in carrying out the letter of the law, to grant a variance. The Board of Zoning Appeals may impose conditions upon affirmative decisions. Any person having interest affected by the Board may appeals a decision to the Circuit Court within 30 days.

DESCRIPTION OF PROJECT

Specify proposed building style and materials, ultimate ownership, proposed timeline for work, etc. (Use another sheet of paper if necessary). Sketches showing facades, rooflines, window and door placement, etc. are encouraged but need not be professionally drawn - photos of similar construction may also be submitted.

NO WORK - INCLUDING EARTHWORK CAN COMMENCE UNTIL A VARIANCE IS OBTAINED (APPLICATION SUBMITTAL DOES NOT GUARANTEE APPROVAL) AND A ZONING COMPLIANCE PERMIT IS ISSUED.

SEC 54.1404(B)(5):

The Zoning Board of Appeals shall make findings that a “practical difficulty” has been shown by the applicant by finding that all of the following requirements have been met by the applicant for a variance.

(a) Special Conditions and Circumstances Unique to the Land, Structure, or Building.

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district;

Petitioner's Response: _____

(b) Rights of Similar Properties in the Same Districts. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other similar properties in the same district under the terms of this Ordinance;

Petitioner's Response: _____

(c) Not a Result of Actions of the Applicant. That the special conditions and circumstances do not result from the actions of the applicant;

Petitioner's Response: _____

- (d) **Special Privileges Prohibited.** That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district;

Petitioner's Response: _____

- (e) **Comparison to Other Lands, Structures, or Buildings Not a Factor.** That no nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Petitioner's Response: _____

- (f) **Strict Compliance is Unnecessarily Burdensome.** That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons;

Petitioner's Response: _____

- (g) **Substantial Justice.** That a variance would do substantial justice to the applicant, as well as to other property owners in the district (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more just);

Petitioner's Response: _____

- (h) **Impact.** That the proposed variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets; that the variance will not increase the hazard of fire or flood or endanger public safety; that that the variance will not unreasonably diminish or impair established property values within the surrounding area; and that the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Petitioner's Response: _____

- (i) **Minimum Variance Necessary.** That the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Petitioner's Response: _____

- (j) **Purpose and Intent of the Land Development Code.** That the granting of the variance, will be in harmony with the general purpose and intent of this Ordinance.

Petitioner's Response: _____

SIGNATURE

I hereby certify the following:

1. I am the legal owner of the property for which this application is being submitted.
2. I desire to apply for the variance indicated in this application with the attachments and the information contained herein is true and accurate to the best of my knowledge.
3. The requested variance would not violate any deed restrictions attached the property involved in the request.
4. I have read Section 54.1404 of the Land Development Code and understand the necessary conditions that must be completed and the consideration that will be given in making a decision on this petition.
5. I understand that the payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that is does not assure approval of the plan.
6. I acknowledge that this application is not considered filed and complete until all of the required information has been submitted and all required fees have been paid in full. Once my application is deemed complete, I will be assigned a date for a public hearing before the Board of Zoning Appeals that may not necessarily be the next scheduled meeting due to notification requirements and Board of Zoning Appeals Bylaws.
7. I acknowledge that this form is not in itself an approval of the variance but only an application for a variance and is valid only with procurement of applicable approvals.
8. I authorize City Staff and the Board of Zoning Appeals members to inspect the site.

Property Owner Signature: _____ Date: _____

Applicant Signature: _____ Date: _____