

Fee: \$400.00  
Meeting: 4<sup>th</sup> Monday  
Deadline: 16 Business Days  
Prior to Meeting

Charter Township of Lansing  
3209 W. Michigan Avenue  
Lansing, MI 48917  
(517) 485-4063

BA# \_\_\_\_\_

APPEAL FOR MODIFICATION OF BUILDING AND ZONING ORDINANCE

Name of Petitioner \_\_\_\_\_ Zoned: \_\_\_\_\_

Address of Request \_\_\_\_\_ Phone: \_\_\_\_\_

Legal Description \_\_\_\_\_

Petitioner is: Owner \_\_\_\_\_ Contractor \_\_\_\_\_ Architect \_\_\_\_\_ Engineer \_\_\_\_\_

Address of Petitioner \_\_\_\_\_

Status of Job: Not Started \_\_\_\_\_ Under Construction \_\_\_\_\_ Finished \_\_\_\_\_

Permit Number, if issued: \_\_\_\_\_

Specific ordinance modification desired \_\_\_\_\_

Specify Ordinance No.: \_\_\_\_\_

State circumstances which require an appeal: \_\_\_\_\_

Date: \_\_\_\_\_ Petitioner \_\_\_\_\_

Please Print: \_\_\_\_\_

(Site Drawing Required for Yard Modification)  
CERTIFICATION OF OWNERSHIP:

I, \_\_\_\_\_, certify that I own the property affected by the proposed appeal and approve the request.

Date \_\_\_\_\_ Owner \_\_\_\_\_

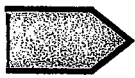
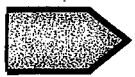



Fee Paid \$ \_\_\_\_\_ Receipt \_\_\_\_\_ By \_\_\_\_\_

PLEASE NOTE:

1. Only Those Points Specifically Mentioned are Affected by Action Taken on this Appeal.
2. Unless an Appeal is Filed, Building Permits Can be Issued 21 Days After Approval of the Minutes of Board of Appeals Meeting.
3. Approvals are Null and Void Unless Provisions of Variance are Utilized Within One Year of Approval.

- (2) *Interpretation.* Shall have the power to hear and decide upon appeals for the interpretation of the provisions of this title, which shall include the determination of precise location of zone boundaries when there is doubt, classification of a use which is not specifically mentioned along with a comparable permitted or prohibited use in any zone, determine the off-street parking and loading space requirements of any use which is not mentioned in chapter 84.
- (3) *Variances.* The zoning board of appeals may have the power to authorize upon appeal, the following variance:
  - a. *Use variance:* A use variance authorizes a use of land otherwise prohibited under the zoning ordinance. To obtain a use variance, an applicant must prove to the zoning board of appeals that it will suffer "unnecessary hardship" if variance is denied. The unnecessary hardship must relate to the property for which the variance is sought as follows:
    - 1. The land in question cannot yield a reasonable return if used only for the purpose allowed in that zone;
    - 2. The plight of the owner is due to unique circumstances and not the general conditions in the neighborhood; and
    - 3. The use to be authorized by the variance will not alter the essential character of the locality.
  - b. *Dimensional variance:* A dimensional variance authorizes specific variances from such dimensional requirements as lot area and width regulations, building height regulations, and yard width and depth regulations as specified in this title when all of the basic conditions listed below are satisfied.

*Basic conditions:* That any variance granted:

-  a. Will not be contrary to the public interest and will not be contrary to the spirit and intent of this title;
-  b. Will not cause any adverse effect to the property in the vicinity or in the zone or the community;
-  c. Is not one where the specific conditions pertaining to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable;
-  d. Relates only to property that is under control of the applicant;
-  e. Affects only property subject to exceptional or extraordinary circumstances or conditions that do not generally apply to other property or uses in the vicinity and have not resulted from any act of the applicant.

*Additional rules.* In addition to the foregoing conditions, the following rules shall be applied to the granting of variances:

- a. In granting a variance, the board may specify, in writing, to the applicant such conditions in connection with the granting that will, in its judgment, secure