



Zoning Board of Appeals Application

Return form with fee to:

City Clerk
City of Hastings
201 E. State Street
Hastings, Michigan 49058

APPLICANT: Name: _____

Address: _____

Telephone: _____ **Cell:** _____

Applicant's Interest in Property: _____

OWNER: (If Different from Above) _____

PROPERTY INFORMATION

Legal Description: (Use attachment, if necessary) _____

Parcel Number: _____

Property Address: _____

Present Use of Property: _____

Zoning Classification: _____

Size of Property: _____

1. Nature of the Variance Requested

a. Section number(s) of Zoning Ordinance for which variance is being requested:

b. Description of variance being requested.

c. Attach a detailed lot diagram which shows size, location, and present and/or proposed improvements. Include dimensions for lot and all buildings, setbacks, etc. Minimum 8 1/2" x 11"

2. Describe why you feel you cannot comply with the Ordinance as currently written. Be as specific as possible. (Use and attachment if necessary)

3. Applicant must demonstrate practical difficulties or undue hardship that you feel justify the granting of the variance. Please review the instruction sheet for an explanation of practical difficulties or undue hardship. An inconvenience is not considered a practical difficulty. (Use an attachment, if necessary)

SIGNATURES:

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate.

Applicant's Signature

Date

Owner's Signature *(If different from Applicant)*

Date

Fee Amount: _____

Fee Paid: _____





Instructions and Information for Application for Variance

The Zoning Board of Appeals (ZBA) may grant variances to the City of Hastings' Ordinance (Ordinance No. 616). Types of variances that may be considered by the ZBA are for relief from dimensional requirements such as lot area and width, building height, square foot regulations, yard width and depth, off-street parking, loading space, and sign regulations. All others are the work of the Planning Commission.

To obtain a variance, the applicant must show that a “practical difficulty” exists. In determining if a practical difficulty exists, the ZBA shall consider whether the following conditions exist:

1. That the variance will not permit the establishment within a zoning district of any use which is not allowed as a permitted or special land use within the district
2. That compliance with the strict letter of the Zoning Ordinance would unreasonably prevent the owner or occupant of the property from using the property for a permitted purpose or would render conformity with the Zoning Ordinance unnecessarily burdensome.
3. That a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the surrounding area or, in the alternative, that a lesser relaxation than that applied for would give substantial relief to the owner or occupant of the property involved and be more consistent with justice to other property owners.
4. That the hardship asserted by the applicant by way of justification for a variance is due to unique circumstances of the property.
5. That the hardship asserted by way of justification for the variance is not self-created.
6. That, in granting a variance, the Zoning Board of Appeals is ensuring that the spirit of the Zoning Ordinance is observed, public safety secured, and substantial justice done.

These are the only legal reasons the ZBA can grant a variance. When completing your application, please keep these in mind. Questions number 2 and 3 specifically address these items.

To request a variance, complete the attached application and submit with the application fee. The application fee is non-refundable. A public hearing is required. This involves public notice in the newspaper as well as letters sent to each property owner within 300 feet of the property for which the variance is being requested.