

**ZONING BOARD OF APPEALS**

**APPLICANT**

**DATE** \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

**OWNER (if different from applicant)**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

**Address of property for which the request is being sought:** \_\_\_\_\_

**What is the purpose of the application?**

- \_\_\_\_\_ Variance from the following requirement(s):
  - Setback  Height  Signage  Parking  Greenbelt  \_\_\_\_\_
- \_\_\_\_\_ Map/Ordinance Interpretation
- \_\_\_\_\_ Judicial Review
- \_\_\_\_\_ Continued use or expansion of non-conformity

**List ordinances that are relevant to the request:**

Section Number	Ordinance Title
_____	_____
_____	_____
_____	_____

**Existing Conditions of Property**

Zoning Classification of property:

Subject Parcel: \_\_\_\_\_ North: \_\_\_\_\_ South: \_\_\_\_\_ East: \_\_\_\_\_ West: \_\_\_\_\_

Yard Requirements: Front: \_\_\_\_\_ Side: \_\_\_\_\_ Rear: \_\_\_\_\_ Height: \_\_\_\_\_

List existing structures on the property and the approximate age of each. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Has the property involved ever been the subject of a previous application? If yes, please list each one and the date the request came before the ZBA. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Project Description**

Briefly explain your request and the reason for this application. \_\_\_\_\_

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

Why do you feel that this variance request should be granted? \_\_\_\_\_

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

*Each request requires the following items to be submitted along with the completed application. All items must be submitted in order for the application to be complete. Please be aware that incomplete applications will not be submitted to the ZBA.*

**Variance Request**

1. Legal description of subject property and a list of all deed restrictions.
2. A drawing of the property indicating existing property elements, which includes any structures, drives, fences, and patios. The drawing should also indicate where the proposed variance is to be utilized. The dimensions of all existing and proposed features should be labeled, as well as property dimensions. Include distance between present buildings or proposed buildings and property lines.
3. A completed Variance Criteria form (included in application packet)
4. Filing fee of \$400 (if the property in question is the principal residence of the applicant, this fee is reduced to \$200)

**Interpretation Request / Judicial Decisions**

1. Filing fee of \$400

***By signing below, the applicant confirms that they have read and understood the procedures for the Zoning Board of Appeals. The signature also confirms that all information required for submission of an application, as indicated above, has been provided.***

\_\_\_\_\_  
Signature of property owner or owner representative

\_\_\_\_\_  
Date

**ZONING BOARD OF APPEALS**

***Variance Criteria***

As stated in the application procedures, the City of Coldwater Zoning Ordinance lists five conditions that must exist on the applicant's property in order for a variance request to be granted. Your answers to the following questions will be reviewed by the ZBA to determine if your request satisfies these criteria. Please note that each question must be answered completely. Incomplete applications will not be reviewed by the ZBA.

7.1.E Authorization of variances

- (a) That special conditions and circumstances exist which are peculiar to the land, land use, structure or building in the same zoning district so as to present such a unique situation that a precedent will not be established for other properties in the district to also ask the same or similar change through the zoning appeal procedure.

\_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, what are they? \_\_\_\_\_  
\_\_\_\_\_

- (b) Such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

\_\_\_\_\_ Yes      \_\_\_\_\_ No

Why or why not? \_\_\_\_\_  
\_\_\_\_\_

- (c) The authorization of such variance will not be of substantial detriment to adjacent property and will not naturally impair the intent and purpose of this Zoning Code or the public interest.

\_\_\_\_\_ Yes      \_\_\_\_\_ No

Why or why not? \_\_\_\_\_  
\_\_\_\_\_

- (d) That granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Zoning Code to other lands, structures or buildings in the same zoning district.

\_\_\_\_\_ Yes      \_\_\_\_\_ No

Why or why not? \_\_\_\_\_  
\_\_\_\_\_

- (e) That the reasons set forth in the application for the variance justify the granting of the variance and the variance is the minimum variance that will make possible the reasonable use of the land, building or structure in the zoning district in which it is located.

\_\_\_\_\_ Yes      \_\_\_\_\_ No

Why or why not? \_\_\_\_\_  
\_\_\_\_\_

Questions concerning these requirements and/or the application should be directed to:

Neighborhood Services Department

(517) 279-6926