

Board of Appeals Application

App # _____

Date Received _____

Application is hereby made to the:

 Housing Board of Appeals Zoning Board of Appeals Construction Board of Appeals Accommodations for Persons with Disabilities Variance Special Exception Conditional Use

Name of Applicant _____

Address of Applicant _____

Phone # of Applicant _____ Email Address _____

Address of property in question _____

Applicant's interest in property _____

Name and address of property owner (if different than applicant) _____

Present use of property/structure _____

Describe the nature of your request/appeal _____

Signature of Applicant or Agent _____ Date _____

The Board of Appeals (BOA) meets on the fourth Thursday of each month at 6:00 p.m. in the Council Chambers at City Hall, 270 S. River Avenue. You should verify the date, time, and place of the meeting by contacting Community & Neighborhood Services at (616) 355-1330 or cns@cityofholland.com.

The deadline for filing applications for the Board of Appeals is 28 days prior to the meeting and 30 days for a Conditional Use. Strict compliance with these deadlines is necessary for CNS Staff to give the required notices and obtain any necessary input from other departments.

Fully complete the application, attachments, and include the filing fee of \$100.00 for residential properties (1-4 units), \$250.00 for non-residential and commercial properties, or \$1,100.00 for personal wireless service towers.

Incomplete or illegible applications may be rejected by staff, tabled by the Board, or denied.

Zoning Board of Appeals

___ Variance ___ Special Exception ___ Use ___ Non-Use
___ Flag Lot (Divide Property) ___ Conditional Use ___ Other

Zone District of Property _____

I am applying based on section(s) _____ of the Zoning Ordinance. (List all sections that apply to your request.)

Has there been a previous request or appeal involving the existing structure or property? _____

Date of prior request/appeal: _____

Nature of prior request/appeal: _____

- I reviewed this application with a zoning administrator on _____.
- I declined to review this application with a zoning administrator.
- I give permission for the Board members and City Staff to enter onto my property for this request.

Requirements:1. You are **required** to include a site/plot plan with your application. The plans must be drawn to scale.

The plans must show:

- a. Lot boundaries, dimensions and any adjoining streets;
- b. The location of all existing and proposed structures;
- c. The distance between all structures and lot lines or other structures; and
- d. The directional marker for North.
- e. You may use a mortgage survey for your site/plot plan if all existing and proposed structures are drawn on it, and it includes any additional information which the applicant feels may be important.

2. If you propose to construct or enlarge a building or structure, you must attach a survey showing all lot lines, the foundation footprint of existing and proposed buildings or structures, and any other existing or proposed improvements on the property. If your roof or other projections extend more than 3 feet beyond the foundation footprint, the survey must show the roof print or projections. If the BOA grants your request, you will be required to supply an updated survey showing the buildings or structure and other improvements "as built".

3. Provide:

- a) One (1) legible copy of the fully completed application and attachments.
- b) One (1) copy of a site/plot plan.

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Zoning Board of Appeals

If you are applying for a Use Variance, you must complete this form. The BOA may not grant a use variance unless you demonstrate that you suffer from undue hardship. In order for the Board to make a determination, please respond to the following items:

1. Explain why your property cannot reasonably be used for uses allowed in the zone district where your property is located.

2. What unique circumstances or conditions apply to your property that requires a variance, such as narrowness, shallowness, shape, water, or topography? Also, explain why your need for a variance is not due to your personal or economic hardship.

3. Explain why the proposed use of your property will not alter the essential character of the neighborhood.

4. Is your need for a variance self-created? (The direct result of actions by the current or previous property owner.)

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Zoning Board of Appeals

If you are applying for any variance that is a **Non-Use Variance¹**, you must complete this form. The BOA may not grant a non-use variance unless you demonstrate that you suffer from practical difficulties. To help the Board determine whether you suffer from practical difficulties, please answer all of the following:

1. Explain why the requested variance is due to the unique circumstances or conditions of your property, such as narrowness, shallowness, shape, water, or topography and is not due to your personal or economic difficulty.

2. Explain why your need for a variance is *not* self-created. (Self-Created = The direct result of actions by the current or previous property owner.)

3. Why will strict compliance with regulations governing area, setback, frontage, height, bulk, density, or other dimensional requirements unreasonably prevent you from using your property for a permitted purpose, or will strict compliance make conformity with those regulations unnecessarily burdensome?

4. Explain why the variance that you requested is the minimum relief necessary to do substantial justice to both you and the other property owners in the district.

5. Explain why the variance will not cause an adverse impact on surrounding property(s), property values, or the use and enjoyment of property in the neighborhood or zoning district.

¹ A non-use variance generally seeks permission to deviate from dimensions imposed by the zoning ordinance or similar requirements where the underlying use is permitted under the zoning ordinance.

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