

Zoning Board of Appeals
Non-Use Variance Applicant



APPLICANT INFORMATION:

Name: _____ Owner/Agent/Other Interest
(Circle One)
Address: _____
Phone: _____ Fax: _____
Email Address: _____

PROPERTY OWNERS INFORMATION: *(If different from applicant)*

Name: _____ Owner/Agent/Other Interest
(Circle One)
Address: _____
Phone: _____ Fax: _____
Email Address: _____

PROPERTY INFORMATION:

Address/Location: _____
Parcel Number(s): _____
Zoning District: _____ Current Use: _____

ATTACHMENTS: Please submit the following items with the application:

- Site Plan showing the following:
 - Dimensions of property
 - Location and dimensions of any existing buildings and/or structures
 - Any unique natural features such as lakes, rivers, streams, wetlands, steep slopes
 - Location and dimensions of proposed building and/or structure
- Copy of deed(s) and accurate legal description of property
- You are encouraged to include photographs and illustrations to support your case

***You may use additional pages to explain any item that space does not allow.

NATURE OF REQUEST: *(Clearly state the complete variance you are requesting)*

LAND USE SERVICES USE ONLY

Permit Number:	Fee:	Date Received:	Date Complete:
_____	_____	_____	_____

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UTILITIES AVAILABLE ON SITE: *(Check all that apply)*

Water Well Sewer Septic

PROPERTY DESCRIPTION:

Area of Lot (*acres/square feet*): _____

Dimensions of Lot: _____

STRUCTURES:	DESCRIPTION	HEIGHT	EXISTING	PROPOSED
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Number of Buildings on Site:	_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Use, Area and Dimensions:
(Each building)

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Area of Other Structures:
(Decks, gazebos, steps, etc.)

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Percentage of Lot Coverage _____

APPLICATION SIGNATURE:

All correspondence and notices regarding the application will be transmitted to the applicant. By signing this application the applicant is indicating that all information contained in this application is complete and accurate to the best of his/her knowledge.

(Signature)

(Date)

(Print Name)

I hereby grant permission for member of the Township Board, Township Planning Commission, Otsego County Zoning Board of Appeals and Otsego County officials, staff and consultants to enter the above described property for the purposes of gathering information related to the application.

Note to applicant/property owner: This permission is optional and failure to grant permission will not affect any decision on the applicant.

(Signature of Property Owner)

(Date)

(Print Name)

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THE APPLICANT MUST DEMONSTRATE THE FOLLOWING CONDITIONS EXIST:

*****This section *MUST* be completed*****

PRACTICAL DIFFICULTY: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplains; exceptional topographic conditions) and strict compliance with the Zoning Ordinance standards would unreasonably prevent the owner from using the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site and not to the applicant personally. Economic hardship or optimum profit potential is not consideration for practical difficulty.

26.6.1. PUBLIC WELFARE: Will granting this variance uphold the spirit of the ordinance, secure public safety and uphold substantial justice to the property owners in the district. The Board must consider whether or not granting a variance will hinder Otsego County in achieving the very goals and objectives the ordinance is trying to accomplish. You should explain how your application is consistent with and does not violate the intent of the particular section(s) that apply to it; merely saying it does not, is not enough.

26.6.2. SUBSTANTIAL JUSTICE: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors and increase in the danger of fire or other activities which may endanger the public safety, comfort, morals or welfare).

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26.6.3. UNIQUE SITUATION: The demonstrated practical difficulty results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or vicinity. List in detail the unique circumstances or conditions that apply to your property. Please explain here the problem with your land.

26.6.4. NOT SELF-CREATED: The conditions resulting in a variance request cannot be self-created and would have existed regardless of ownership of the property.

26.6.5. MINIMUM VARIANCE NECESSARY: The variance shall be the minimum necessary to grant relief created by the practical difficulty. Please explain/list other alternatives and the reasons why these options are not feasible.

COMPLIANCE WITH OTHER LAWS: The variance is the minimum necessary to comply with state or federal laws, such as farming activities protected by the “Right to Farming Act” or accessibility to meet the needs of individual with disabilities protected under the Americans with Disabilities Act.
