

PUTNAM TOWNSHIP

ZONING BOARD OF APPEALS INFORMATION SHEET

The Putnam Township Zoning Board of Appeals (ZBA) hears and decides on requests for variances to the Zoning Ordinance requirements as well as appeals of administrative zoning decisions. The ZBA is made up of seven members, with two alternates, all appointed by the Township Supervisor and approved by the Township Board.

This information is a summary of the ZBA's authority, hearing procedures, and requirements. It is the responsibility of each applicant to review the Zoning Ordinance in order to comply fully with its requirements and procedures.

Applications to the ZBA are made by filing a completed Zoning Application and accompanying documents (listed below) with the Township's Zoning Administrator. Meetings are scheduled on the **second** and **fourth Monday** of each month at 7:00 p.m. At the meeting, the ZBA will hold a hearing on the application, where any member of the public who wishes may speak on the case(s) being heard at that meeting. ZBA cases require notification to all neighbors located within 300 feet of the subject property.

Putnam Township's Zoning Board of Appeals hears four different types of cases; variances, appeals, interpretations of the Zoning Ordinance, and Temporary Uses. While the ZBA has the authority to grant the request, it is the burden of the applicant to prove his/her case.

1. **Variances** – Variances can be granted when a property cannot meet ordinance requirements, due to circumstances unique to that piece of property. All variance requests require public notification as described above and public hearings for these cases are held at the meetings.

There are two types of variances: **non-use** (dimensional) variances and **use** variances. Each type has specific standards that must be met before the Zoning Board of Appeals may authorize the variance. The ZBA Checklist that is available from the Township lists each applicable review standard and can assist applicants in addressing these standards for each type of variance. All review standards must be met before a variance may be granted.

- a. A **non-use variance**, also known as a *dimensional* variance, is a modification of the dimensional and bulk provisions of the zoning ordinance. The ZBA may grant a non-use variance when it is shown that strict enforcement of the ordinance would cause *practical difficulties* for the property owner due to circumstances unique to the property.
 - b. A **use variance** permits a use of land that is not otherwise allowed in that district. To obtain a use variance, the Zoning Ordinance requires the applicant to show that an *unnecessary hardship* exists due to circumstances unique to the property.
2. **Appeals** – Any applicant has the right to appeal a decision of the Zoning Administrator or any other administrative official to the ZBA. The ZBA will consider the facts of the case, the basis for the decision, and will decide to either uphold or overturn the decision. In this situation, the ZBA will first determine if the original decision was made properly. A Notice of Appeal must be filed explaining the grounds for the request. An appeal request puts all other enforcement actions on hold until the appeal is decided, unless a hazardous condition exists that must be corrected.

3. **Interpretation of the Zoning Map or Zoning Ordinance** – In circumstances where a zoning boundary on the zoning map or provision of the text of the zoning ordinance is unclear, the Zoning Administrator or any applicant may ask the ZBA for an interpretation. This requires submission of an application and fee, along with a description of the reason for the request.
4. **Miscellaneous Permits (Temporary Use or Building)** – The ZBA has the authority to allow permits for temporary uses or activities, under certain conditions. These permits are required for (but not limited to) the moving of buildings and structures, and the holding of circuses and carnivals.

Hearings

All ZBA meetings are held at the Township, 3280 W. M36. When your case is heard, the applicant and any member of the public is given a chance to speak and present any relevant facts or evidence. The applicant or a representative must attend the meeting so that any questions the ZBA may have can be answered.

The approval of a majority of the membership of the ZBA (at least 4 votes) is needed in order to grant any request. The decision of the ZBA is final, but any decision may be appealed to the County Circuit Court.

The ZBA may impose reasonable conditions on any approval. Decisions of the ZBA run with the land. However, if no building or land use permit related to the approval has been applied for within 6 months of the ZBA's decision, the approval becomes void.

Applications to the ZBA must be accompanied by a Zoning Application form, any required fees, and a Zoning Board of Appeals Checklist, which includes the standards for granting a variance. A narrative describing how each standard is met can be written on the checklist form, or it may be a separate document.

Any questions about the Zoning Board of Appeals should be directed to the Zoning Administrator, who can be reached at:

Putnam Township Hall
3280 W. M36
Pinckney, MI. 48169

Telephone: (734) 878-3131
Fax: (734) 878-2545

Office Hours: Monday thru Friday, 9:00 am until 5:00 pm.
Closed from noon until 1:00 pm

**ZONING BOARD OF APPEALS CHECKLIST
PUTNAM TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN**

ADDRESS OF PROJECT _____

APPLICANT _____

Deadline: The items required below must be submitted at least **30 days** prior to the meeting of the Zoning Board of Appeals. The Zoning Board of Appeals meets the second and fourth Monday of the month, as needed, at 7:00 p.m. The Zoning Administrator shall determine if the application is complete before accepting the application. Incomplete applications will not be processed until all materials are received.

In granting a variance or miscellaneous permit, the Zoning Board of Appeals may attach conditions regarding the location, character, and other features as deemed reasonable.

This ZBA application is for a (check only one):

- MISCELLANEOUS PERMIT:** Permits for temporary uses, including (but not limited to) the moving of buildings and structures and the holding of circuses and carnivals (see Zoning Administrator). Complete Section A.
- NON-USE VARIANCE:** Complete Section A and Section B.
- APPEAL OF AN ADMINISTRATIVE DECISION:** Complete Section D (Page 5).
- INTERPRETATION:** Complete Section E (Page 5).

For more information, a Zoning Board of Appeals Information Sheet may be obtained from the Zoning Administrator. For help completing this checklist, contact the **Zoning Administrator:** Putnam Township Hall, 3280 W. M36, Pinckney, MI. 48169 Telephone: (734) 878-3131; Fax:

Section A: Miscellaneous Permits and All Variances (check off each item as it is completed)	
	A fully completed zoning application.
	Application/escrow fee.
	This checklist, filled out completely.
	Ten copies of a detailed <u>site plan</u> , drawn to scale. If the site plan cannot be drawn at a scale that shows sufficient detail on a maximum 11" x 17" sheet, large scale copies (maximum size 24" x 36") must be submitted. The site plan shall show:
	Existing improvements and structures, with outside dimensions (if applicable).
	Existing setbacks of all main and accessory buildings from all property lines.
	Required setbacks as listed in the Zoning Ordinance.
	All proposed improvements, with proposed setback distances and other dimensions as applicable (i.e., height of the structure).
	Highlight the location of the requested variance(s) or temporary use on the plan.
	Other items (maps, photos, etc.) necessary to support this application. (Please list)
	Staking. See <i>Staking Requirement</i> , below. Please check this box to acknowledge notification of this requirement.

Staking Requirement: An applicant for a variance is required to stake the corners of all structures or additions that require a variance, at least seven (7) days prior to the scheduled ZBA meeting. This allows the members of the ZBA to see the potential impact of the proposed request.

SECTIONS B AND C: Variance Justification

To complete Section B or C, a narrative must be provided with your application demonstrating how the request meets the standards for a variance in Chapter 32, Section 7 of the Zoning Ordinance. To aid you in completing this narrative, you may fill in the appropriate spaces on this checklist, or you may complete a separate narrative. There must be a response for each of the listed standards. When preparing your application, provide as much detail as possible for each standards The italicized text is not included in the ordinance, but simply restates the intent of the review standard and is strictly for the use of the applicant in completing the required narrative.

<p>Section B: NON-USE VARIANCE Standards of Review (see Chapter 32, Sec. 7) Attach a narrative or write in the space provided below to address each of the following Standards. Please write legibly.</p>
<p>That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions include:</p> <ul style="list-style-type: none">i) Exceptional narrowness, shallowness or shape of a specific property;ii) By reason of exceptional topographic conditions or other extraordinary situation on the land, building or structure;iii) By reason of the use or development of the property immediately adjoining the property in question; whereby the literal enforcement of the requirements of the Ordinance standards would involve practical difficulties;iv) Any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary. <p><i>What physical characteristics of the property exist that prevents the proposed project from complying with the requirements of the Ordinance?</i></p>
<p>That the condition or situation of the specific piece of property for which the variance is sought is not of so general or recurrent in nature as to make reasonably practical the formulation of a general regulation for such conditions or situations.</p> <p><i>Is this a reasonably uncommon situation, or does it exist in many places throughout the township? If it is a common situation, the variance should be denied and the zoning ordinance revised to address the issue.</i></p>

Section B: NON-USE VARIANCE Standards of Review (see Chapter 32, Sec. 7) Attach a narrative or write in the space provided below to address each of the following Standards. Please write legibly.

That 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. *If this variance was not granted, would it prevent the applicant from doing something that anyone else in the same district is permitted to do? The variance will not be granted if the only justification for complying with the ordinance is that it may cost more.*

The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood. *If granted, would the project harm the use and enjoyment of adjacent properties, such as a loss of privacy, etc.?*

The variance will not impair the intent and purpose of the township ordinance. *If granted, would the variance compromise the purpose for which the regulation was written?*

That the immediate practical difficulty causing the need for the variance request was not created by any affirmative action of the applicant. *Did the applicant take some action that caused the need for the variance, such as altering the physical character of the property, or other direct action?*

Section D: Appeals of Administrative Decisions	
	A detailed description of the circumstances of the case.
	Site plans, if necessary, to illustrate the conditions and circumstances related to the appeal.
	A narrative describing the reason for the appeal and the desired action.

Section E: Interpretations	
	Describe the property or area affected by the request.
	For text interpretations, cite the specific Ordinance requirement for which an interpretation is sought.
	For map interpretations, include a copy of the section of the Zoning Map in question (see the Zoning Administrator).
	A narrative describing the circumstances regarding the interpretation and the requested outcome.