



## ZONING BOARD OF APPEALS APPLICATION

### APPLICATION CHECKLIST

- Completed and Signed Application.
- Appeals Request (Appeals Only): Application #: \_\_\_\_\_
- Variance Requests (Variances Only)

#### **Variance Request #1: (Find the Zoning Code at [www.pontiac.mi.us](http://www.pontiac.mi.us))**

- Section of Zoning Code: \_\_\_\_\_
- Requirement: \_\_\_\_\_
- Applicant's Request \_\_\_\_\_

#### **Variance Request #2:**

- Section of Zoning Code: \_\_\_\_\_
- Requirement: \_\_\_\_\_
- Applicant's Request: \_\_\_\_\_

**For Additional Variances, please use back of form.**

- Application Fee.**
- Supporting Materials:**
  - Proof of Ownership, Purchase/Lease Agreement
  - Plans drawn to scale showing the shape and dimension of lots, existing and proposed buildings, other information with regard to the lot that may be deemed necessary.
- Project Narrative.** This can be included within the questions in the application or provided as an attachment. Project Narrative should provide a response to the standards found in Section 6.408(C) for Use Variances and Section 6.407(B) for Dimensional Variances.

**Additional Variance Requests (For Variances Only)**

**Variance Request #3:**

- Section of Zoning Code: \_\_\_\_\_
- Requirement: \_\_\_\_\_
- Applicant's Request \_\_\_\_\_

**Variance Request #4:**

- Section of Zoning Code: \_\_\_\_\_
- Requirement: \_\_\_\_\_
- Applicant's Request: \_\_\_\_\_

**Variance Request #5:**

- Section of Zoning Code: \_\_\_\_\_
- Requirement: \_\_\_\_\_
- Applicant's Request: \_\_\_\_\_

**Variance Request #6:**

- Section of Zoning Code: \_\_\_\_\_
- Requirement: \_\_\_\_\_
- Applicant's Request: \_\_\_\_\_

**Completed Application Checklist.**

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Staff Section Only

Date of Applied \_\_\_\_\_

Application Inspection (Name/Date) \_\_\_\_\_

Planner Review (Name/Date) \_ \_\_\_\_\_

Planning Manager (Name/Date) \_\_\_\_\_

Public Hearing Notice Date: \_\_\_\_\_

ZBA Meeting Public Hearing Date: \_\_\_\_\_



# Application for Zoning Board of Appeals

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

**Property/Project Address:** \_\_\_\_\_

**Sidwell Number:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Office Use Only**

PF Number: \_\_\_\_\_

**Instructions:** Applications for Zoning Board of Appeals shall be filed with the Office of Land Use and Strategic Planning at least 30 days before the regularly scheduled Zoning Board of Appeals Meeting. Incomplete applications will delay the review process.

**Applicant (please print or type)**

Name			
Address			
City			
State			
ZIP Code			
Telephone	Main:	Cell:	Fax:
E-Mail			

**Property Owner – if different (please print or type)**

Name			
Address			
City			
State			
ZIP Code			
Telephone	Main:	Cell:	Fax:
E-Mail			

**Property Information:**

**Property Address:** \_\_\_\_\_

**Zoning of Property:** \_\_\_\_\_

**The subject property is legally described as follows (include sidwell numbers):**

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**Purpose of request:**

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**Please explain the nature of your hardship in accordance with the conditions listed above:**

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**Has a request ever been submitted to/or reject by the Planning Commission?  Yes  No**

**If yes, state circumstances:**

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\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Signature of Owner**

*State of Michigan  
County of Oakland*

*On this \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.*

\_\_\_\_\_  
*Notary Public, Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_*



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**Act 207, P.A. of 1921 provides that a City may establish a Board of Appeals to hear requests for variances to the literal application of the provision of the Zoning Ordinance where, by reason of peculiar conditions unnecessary hardship may result from strict conformity.**

**The Board of Appeals has not power to legislate. Its purpose is to provide a measure of flexibility for the Zoning Ordinance. The Board has the authority upon appeal, to vary the provisions of the Zoning Ordinance where practical difficulty and unnecessary hardship would result by rigid application of the regulations.**

**The Board of Appeals can grant a variance only where an unusual circumstance leads to unnecessary hardship for the particular property owner.**

**It has been upheld in the courts that merely because an owner can secure a greater return from his property by changing its uses is not sufficient grounds for requesting a variance. A hardship must be something other than of a financial nature.**

**If you wish to appear before the Board of Appeals, you must show that the following conditions exist, and so indicate of the attached application form.**

- 1.) That there are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not generally apply to the other properties in the same Zoning District.
- 2.) That such a 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.
- 3.) That the authorizing of such a variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purposes of the Ordinance.
- 4.) Plans drawn to scale showing shape and dimension of lots, buildings and lines of proposed building to be erected, altered or use change, Such other information with regard to lot or neighboring lots, proposed uses, as may be deemed necessary.
- 5.) Filing fee to be paid to the Office of Land Use and Strategic Planning, when the application for hearing is submitted. Checks should be made payable to the 'City of Pontiac.'