



ZONING BOARD OF APPEALS APPLICATION

City of Owosso
301 W. Main Street, Owosso, MI 48867
Phone: (989) 725.0535
building@ci.owosso.mi.us

The Owosso Zoning Board of Appeals (ZBA) meets in a regular session when there are items on the agenda on the third Tuesday of the month at 9:30 a.m. in the city council chambers, 301 W. Main Street, Owosso, Michigan.

Materials related to requests for ZBA action, including any required fees, must be filed at the building department located on the first floor of city hall. Questions may be directed to the Building Department at (989) 725-0535.

Filing requests which are not complete or which are not filed by the meeting deadline, as determined by the Zoning Administrator, will not be placed on the agenda of the ZBA meeting, nor will they be considered at the ZBA meeting.

Filing deadlines are established:

- To comply with various ordinance requirements;
- To permit adequate time for staff to arrange the notice for publication as may be required;
- To permit adequate time for staff to arrange the mailing of notices as may be required;
- To permit adequate time for the ZBA and staff to review the filed materials.

Filing deadlines are established at **28 calendar days** prior to the ZBA meetings:

ZBA REVIEW APPLICATION PROCESS (see Section 38-504 of the Owosso Zoning Ordinance)

1. ZBA meetings are held on the third Tuesday of the month at 9:30 a.m. in city council chambers, 301 W. Main Street, Owosso, Michigan. **It is in your best interest to be present or be represented at the zoning board of appeals meeting.**
2. Applications **must** be filed by the property owner. All other applications will be returned.
3. The deadline for filing applications is 28 days prior to the day of the meeting.
4. If the Michigan Department of Environmental Quality (MDEQ) has restricted any portion of your lot from being built upon, the MDEQ documentation must be provided along with your application.
5. This application and a site plan drawn to scale, including information as outlined below, are required. The application must be filed with the building department.
6. **A fee of \$400 (Commercial) or \$175 (Residential) shall be paid upon submission of the application to the city of Owosso, located at 301 W. Main Street, Owosso, MI 48867.**

The following information must be shown on all site plans presented to the ZBA where applicable:

- Description of site (plat numbers and/or legal description).
- Area of site (in square feet or acres).
- Dimensions on all property lines, setbacks and etc.
- The location of all existing structures and proposed structures on subject property.
- The location of all existing structures within 100' of subject property.
- The location of all existing and proposed drives, turning lanes, parking areas, number of parking spaces, greenbelt screening and walls.
- The location and right-of-way widths of all abutting streets and alleys.
- Loading and unloading areas.

The engineer, architect, planner and/or designer retained to develop the site plan shall be responsible for securing a copy of the Owosso Zoning Ordinance and following all requirements therein. Further, these professionals shall make themselves aware of all Owosso Master Plan requirements, for example, major thoroughfares, land use, recreations and etc.

I certify that the above required information is shown on the site plan included with this form.

Signature of property owner

Date

2020 Meeting Dates Submittal Deadlines

January 21	December 23
February 18	January 21
March 17	February 18
April 21	March 24
May 19	April 21
June 16	May 19
July 14	June 16
August 18	July 21
September 15	August 18
October 20	September 22
November 17	October 20
December 15	November 17



OWOSSO ZONING BOARD OF APPEALS APPLICATION

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Fee \$400 (Commercial) or \$175 (Residential)

**1. PROJECT INFORMATION
TO THE OWOSSO ZONING BOARD OF APPEALS; I (WE)**

Applicant Name:

Address:

City, State, Zip:

Phone Number:

E-Mail:

HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FOR A:

Variance () Permit () Interpretation () or Review and Approval ()

Address/Location of Property:

Parcel #:

Zoning District:

2. REQUIRED ATTACHMENTS:

- 1 copies of site plan, plus a digital copy
- Completed application
- Description of how the requested variance meets all of the nine (9) Facts of Findings
- Narrative demonstrating why a variance is being sought
- Required fee

3. DESCRIPTION OF CASE: *(fill out only the items that apply to your case)*

a. Description of the property:

- Size of lot:
- Area of lot:
- Lot is a corner or interior lot?

b. Description of existing structures:

- Number of buildings now on premises:
- Size of each building now on premises:

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- Use of existing buildings on premises:
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c. Description of proposed structures:

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- Height of proposed structures:
 - Dimensions of proposed building or addition:
 - Area of proposed building:
 - Percentage of lot coverage of building or addition:
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d. Yard setbacks after completion of building or addition:

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- Front yard (measured from lot line):
 - Side yard (measured from lot line):
 - Rear yard (measured from lot line):
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e. A sketch depicting the above information shall accompany this application. The sketch shall be on a sheet of paper 8 1/2" X 11" in size.

f. Section number of Zoning Ordinance that is being appealed:

g. Clearly state your request:

4. DUTIES AND POWERS

The Board shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height regulations, yard and depth regulations, and off-street parking and loading space requirements provided it finds that **ALL** of the basic conditions described below, and as stated in Section 38-504(3)a.1-9 can be satisfied. The appellant shall submit, along with the established fee and other materials, a narrative demonstrating why a variance is sought.

a. Basic conditions. In order to qualify for a variance, the applicant must show that a variance:

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1. Will not be contrary to the public interest or to the intent and purpose of this chapter.
 2. Shall not permit the establishment within a district of any use which is not permitted by right within that zone district, or any use or dimensional variance for which a special land use permit is required.
 3. Is unique and not shared with other property owners.
 4. Will relate only to property that is under control of the applicant.
 5. Is applicable whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
 6. Was not created by action of the applicant (not self-created).
 7. Will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets or increase the danger of fire or endanger the public safety.
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8. Will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.

9. Is applicable whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the area, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

b. *Special conditions:* When all of the basic conditions can be satisfied a variance may be granted when any one (1) of the following special conditions can be clearly demonstrated:

1. The board may specify, in writing, such conditions regarding the character, location, and other features that will, in its judgment, secure the objectives and purposes of this chapter. The breach of any such condition shall automatically invalidate the permit granted.

2. Each variance granted under the provisions of this chapter shall become null and void unless:

i. The construction authorized by such variance or permit has been commenced within six (6) months after the granting of the variance and proceeds to completion in accordance with the terms of the variance;

ii. The occupancy of land, premises, or buildings authorized by the variance has taken place within one (1) year after the granting of the variance.

3. No application for a variance which has been denied wholly or in part by the board shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly-discovered evidence or proof of changed conditions found upon inspection by the board to be valid.

4. In granting or denying a variance the board shall state the findings of fact upon which it justifies the action.

Signature of owner: _____ Date: _____

Print name: _____