

**Notice of Appeal to the Vevay Township Zoning Board of Appeals  
 Ingham County, Michigan**

Applicant	Address	Phone	E-mail address
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Owner	Address	Phone	E-mail address
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Address of Property	33-10-10- Parcel number
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*This application is not acceptable unless all required statements have been made. Additional information may be supplied in separate sheets if the space provided on this form is inadequate. **DO NOT FILL IN MORE THAN ONE OF THESE SECTIONS.***  
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**Owner agrees to allow Vevay Township officials to enter and inspect said property.**

Signature of Property Owner/Applicant \_\_\_\_\_ Date \_\_\_\_\_

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**SECTION 18.02 INTERPRETATIONS**

The Zoning Board of Appeals shall have the power to hear and decide, in accordance with the provisions of this Ordinance, applications for interpretations of this Ordinance, and may make decisions on any other questions on which the ZBA is authorized to pass. In exercising all of its powers, the ZBA shall apply the standards of this Section.

- A. Upon receipt of a request for interpretation of a provision of the zoning ordinance, a reasonable time shall be fixed by the ZBA for a hearing of the request and notice given as provided by Section 18.05 of this Chapter.
- B. Text Interpretations: The ZBA may hear and decide upon requests for the interpretation of the provisions of this Ordinance, In deciding text interpretations, the ZBA shall be governed by the following rules:
  - 1. Text interpretations shall be narrow and address only the situation to be interpreted, be based on a thorough reading of this Ordinance and not have the effect of amending this Ordinance.
  - 2. Interpretations shall give weight to practical interpretations by the Zoning Administrator if applied consistently over a long period of time.
  - 3. Records shall be kept of all interpretations.
  - 4. Where the intent of this Ordinance is unclear and the facts cannot be read to support only one (1) interpretation, the benefit of doubt shall go to the property owner.
  - 5. Nothing contained in this Section shall be construed to give or grant to the ZBA the power or authority to alter or change the language of this Ordinance.
- C. Map Interpretations: When there is any question as to the location of any boundary line between Districts, upon a request for an interpretation of the zoning map, the ZBA shall establish the boundary based upon the map and all available information relating thereto and shall establish the boundaries to carry out the intent and purposes of this Ordinance and the Master Plan.

The applicant respectfully requests that an interpretation be made by the Board of Appeals of Zoning Ordinance Chapter \_\_\_\_\_ Section \_\_\_\_\_ of the Vevay Township Zoning Ordinance. The **APPLICANT** states the concern with the ordinance wording.

**ZBA DECISION - The interpretation is as follows:**

\_\_\_\_\_  
**Zoning Board of Appeals Chairperson – Date**

**SECTION 18.03 APPEALS**

- A. Upon application, the ZBA shall hear and decide appeals from and review any order, requirements, decision or determination made by the Zoning Administrator or other official or body charged with the administration of this Ordinance. Any person aggrieved, or any officer, department or board of the Township may make an appeal to the ZBA. The grounds of every appeal shall be stated in writing as part of the application.
- B. **An application for appeal shall be filed within fourteen (14 days) after the date of the decision that is the basis of the appeal.** The appellant must file a notice of appeal and a fee with the Zoning Administrator. The notice shall specify the nature and grounds of the appeal and the application fee be submitted in an amount as established by the Township Board from time to time.
- C. The Office of the Township Clerk shall transmit to the Zoning Administrator and to the ZBA all the papers constituting the record upon which the action being appealed was taken.
- D. An appeal stays all proceedings from furthering the action being appealed unless the Zoning Administrator certifies to the ZBA that a stay would, in their opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed other than by a restraining order which may be granted by the ZBA or by the Circuit Court.
- E. The ZBA shall fix a reasonable time for the hearing of the appeal, and provide notice as provided by Section 18.05. Following the public hearing; the ZBA shall decide the matter within a reasonable time. The ZBA may reverse or affirm, wholly or partly, or may modify the order requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the Zoning Administrator and may issue or direct the issuance of a permit.

The **APPLICANT** respectfully petitions that the following request be approved:

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**ZBA DECISION**      **The appeal was granted \_\_\_\_\_ or denied \_\_\_\_\_ for the following reasons:**

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\_\_\_\_\_  
**Zoning Board of Appeals Chairperson - Date**

**SECTION 18.04 VARIANCES**

A. The ZBA shall have the authority to grant nonuse variances relating to the construction, structural changes or alteration of building or structures related to dimensional requirements of the zoning ordinance or to any other nonuse-related standard in the ordinance. If there are practical difficulties in the way of carrying out the strict letter of the zoning ordinance, the zoning board of appeals may grant a variance in accordance with this section, so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice done. A variance from the terms of this Ordinance shall not be granted by the ZBA unless and until a written application for a variance is submitted and the ZBA finds:

1. That there are practical difficulties which apply to the property in question that do not apply generally to other properties in the same Zoning District, including:
  - a. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Chapter; or
  - b. By reason of exceptional topographic conditions or other extraordinary situation on the land, building or structure; or
  - c. By reason of the use or development of the property immediately adjoining the property in question, whereby the literal enforcement of the requirements of this Ordinance would involve practical difficulties; or
  - d. Another physical situation relating to the land, building or structure.
2. That the condition or situation of the specific piece of property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situations.
3. That the 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.
4. The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.
5. The variance will not impair the intent and purpose of this Ordinance.
6. That the immediate practical difficulty causing the need for the variance request was not created by the applicant.
7. That the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance necessary.

B. Use Variances: Use variances are prohibited.

C. An application for a variance shall be submitted to the Zoning Administrator who will review the application for completeness and validity then transmit it to the Zoning Board of Appeals. Applications not meeting the requirements shall be returned to the applicant for completion.

D. A valid application for a variance to the ZBA shall consist of the following:

1. Six (6) copies of a site plan drawn to scale, which is sufficient to describe the nature of the request.
2. A completed application form as provided by the Township.
3. Payment of a fee, in accordance with a fee schedule, as determined by the Township Board from time to time.
4. A legal description and/or parcel number of the entire property that is the subject of the request.
5. A statement with regard to compliance with the standards of Section 18.04, as applicable.
6. Other materials as may be required by the ZBA.

E. The ZBA shall fix a reasonable time for the hearing of the variance request and provide notice as provided in Section 18.05 of this Chapter.

F. At the hearing, a party may appear in person or by agent or attorney. The zoning board appeals may grant the requested variance in whole or in part and issue or direct the issuance of a permit.

The **APPLICANT** respectfully requests that a variance of the terms of the zoning ordinance be made in the case of the property because the following peculiar or unusual conditions are present which justify a variance:

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**ZBA DECISION**      **The variance was granted \_\_\_\_\_ or denied \_\_\_\_\_ for the following reasons:**

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by the Zoning Board of Appeals and that the previous decision of the enforcing officer be      **Confirmed**      **Denied**

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**Zoning Board of Appeals Chairperson - Date**

**Vevay Township, 780 Eden Road, Mason, MI 48854 Phone 517/676-9523**