

VARIANCE APPLICATION

VILLAGE OF MACKINAW CITY
102 South Huron Avenue
PO Box 580
Mackinaw City, Michigan 49701
231-436-5351

WHAT IS A VARIANCE AND WHY SHOULD I APPLY FOR ONE?

A variance is a zoning adjustment that permits minor changes of zoning requirements, where individual properties are unnecessarily burdened by the strict application of the Zoning Ordinance. This variance is not a change in the zoning ordinance but is a type of waiver of certain zoning requirements for a particular piece of property. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome the inequality inherent in the property. Use variances are strictly prohibited.

A non-use variance may be granted by the Village Zoning Board of Appeals in cases where the applicant demonstrates in the official record of the public hearing that practical difficulty exists by showing all of the following:

- A. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic difficulty. Where some general hardship conditions extend to other properties, a variance cannot be granted. The remedy for a general hardship is not a variance, but would be a change of the map or the text of the Zoning Ordinance.
- B. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).
- C. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other non-use requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.
- D. That the requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.
- E. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district. All variances must be in harmony with the intent and purpose on the Zoning Ordinance.

If your property is uniquely burdened by exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional physical situation or physical condition unique only to your property, you may qualify for a variance. If you cannot meet all of the above criteria, then you should not apply for a variance.

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I hereby apply for a variance from the terms of the Mackinaw City Zoning or Sign Ordinance:

Applicant Name: _____

Mailing address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Property Address: _____

Property Tax Id No.: _____

1. Exact variance from the Ordinance desired: _____

2. Unique circumstances or physical conditions of the property involved which do not apply generally to land, buildings, or uses in the same district are: _____

3. The requested variance is necessary because of the following (not self-created): _____

4. Strict compliance with the Ordinance will unreasonably prevent the property owner from using the property for a permitted purpose, or conformity with the Ordinance is unnecessarily burdensome, as follows: _____

5. The requested variance is the minimum variance necessary as follows: _____

6. Granting this application will not adversely affect the health or safety of persons, public welfare, or property in that neighborhood: _____

ADDITIONAL sheets may be attached. The Zoning or Sign Permit Application must be attached or already on file.

Signature: _____ Date: _____

The fee for an Variance Request is set from time to time by Village Council Resolution. That amount can be located in the most current fee schedule found online at www.mackinawcity.org

For Office Use Only

Amount Paid: \$ _____ Receipt #: _____ Date: _____

Zoning Board of Appeals Date of Appeal: _____

ZBA Action Taken: _____
