

CITY OF HAZEL PARK
ZONING BOARD OF APPEALS (ZBA)
VARIANCES, APPEALS OF ADMINISTRATIVE DECISIONS
& INTERPRETATIONS

ZBA Meetings & Public Hearings

ZBA meetings are regularly scheduled for the first Wednesday of each month at 7:00 p.m., although other dates and times may be scheduled. For all meetings at which a Variance or Appeal is considered, a public hearing must occur. Notice of the public hearing must be published in a local newspaper and (in most cases) mailed to all properties within 300 feet of the property in question at least 15 days before the meeting. Any member of the public may speak during the public hearing.

Dimensional/Non-Use Variances

A dimensional (or "non-use") Variance regards physical aspects of a property including but not limited to building depth, height, setbacks, and/or width, as well as architectural standards. Pursuant to Sec. 17.09.060(C)(4) of the Zoning Ordinance, when special conditions create a situation whereby literal enforcement would involve practical difficulties with implementation of its provisions, the ZBA may authorize a variation or modification of the Zoning Ordinance and may impose conditions and safeguards it determines necessary, so that the public health, safety and general welfare may be secured and substantial justice done.

Appealing Administrative Decisions & Interpretations

Pursuant to Sec. 17.09.060(C)(2) & (3) of the Zoning Ordinance, the ZBA may hear and decide Appeals when it is alleged by an appellant that there is an error in any order, requirement, permit, decisions or refusal made by the Building Department, Planning Commission, and/or any other administrative official or body in carrying out and/or enforcing the Zoning Ordinance, except as otherwise prohibited, or if a question arises regarding the Zoning Map or the meaning and intent of any Zoning Ordinance provision.

Applying for a Variance or ZBA Appeal

A completed application form, required documents (e.g., plans, surveys, etc.), and \$650 hearing fee must be filed with the Hazel Park Building Dept., which is located at 111 E. Nine Mile Rd., Hazel Park, MI 48030. Following that, a meeting will be scheduled far enough in advance to ensure all necessary notices can be sent as required. Questions should be directed to jfinkley@hazelpark.org.

CITY OF HAZEL PARK
ZONING BOARD OF APPEALS APPLICATION
C/O Hazel Park Building Dept.
111 E. Nine Mile Rd., Hazel Park, MI 48030
(248) 546-4075

Pursuant to Sec. 17.09.060(D) of the Hazel Park Zoning Ordinance, an applicant for a Dimensional/Non-Use Variance or an appellant of an administrative decision or interpretation shall file all the following items with the Building Dept. in order to schedule a hearing before the Zoning Board of Appeals:

- 1) This completed application form.
- 2) The plot plan, sketch plan, and/or site plan for the project in question, if applicable.
- 3) For a Variance, a signed and sealed survey prepared by a licensed professional surveyor that clearly shows the dimensions in question.
- 4) The ZBA hearing fee of \$650.

PROPERTY DESCRIPTION:

Address: _____, Hazel Park, MI 48030 Current Zoning District: _____
Sidwell (Tax ID) #: _____ Current Use of Property: _____

APPLICANT:

Name: _____ Email: _____
Address: _____ Phone: _____
Relation to Property (e.g., owner, current tenant, etc.): _____

PROPERTY OWNER:

Name: _____ Email: _____
Address: _____ Phone: _____

REASON(S) FOR APPLICATION AND/OR APPEAL:

Dimensional/Non-Use Variance: ☐ Administrative Review: ☐ Interpretation: ☐

Description of Request: _____

Section(s) of the Hazel Park Zoning Ordinance from which a variance is being sought, an interpretation is being requested, and/or is the subject of an administrative review: _____

Has the Building Dept. or Planning Dept. denied this request? Yes ☐ No ☐

Is this request being made for financial reasons? Yes ☐ No ☐

THIS BOX IS FOR DIMENSIONAL/NON-USE VARIANCES ONLY

- a. Compliance with the strict letter of the restrictions governing area, setback, frontage, height, bulk, lot coverage, density or other dimensional or construction standards will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with such restrictions unnecessarily burdensome because:
- _____.
- b. There are unique circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties or class of uses in the same district or zone because:
- _____.
- c. Such variance or modification is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same district or zone in which the property is located because:
- _____.
- d. The granting of such variance or modification will not be materially detrimental to the public health, safety and general welfare or be materially injurious to the other property or improvements in such zone or district in which the property is located because: _____.
- e. The granting of such a variance will not adversely affect the purposes or objectives of this Chapter or the City's Master Plan because: _____.
- f. The need for the variance or conditions which substantiate granting the variance are not self-created because:
- _____.

ACKNOWLEDGMENT:

I represent that all statements contained within this application and all attachments are true and accurate to the best of my knowledge. I understand that the burden of proof falls upon the applicant and that the provision of notarized statements and other forms of documentation is paramount to the ZBA's decision-making process and are my responsibility to provide. I agree to abide by the decision of the ZBA or file an appeal with the Oakland County Circuit Court in compliance with Public Act 110 of 2006. I understand that ZBA members may need to access the property to better understand the case.

Signature of Applicant

Date

Signature of Property Owner

Date

State of Michigan

County of _____

Sworn to me on this _____ day of _____, 20_____

Signature of Notary Public