

**CITY OF EAST LANSING
ZONING VARIANCE APPLICATION**

PROPERTY ADDRESS: _____

PARCEL ID NO(S): _____

PROPERTY OWNER: _____

(Or its legal representative)

Mailing Address: _____

E-mail Address: _____

Office/Cell/Fax Numbers: _____

APPLICANT: _____

(If not property owner)

Mailing Address: _____

E-mail Address: _____

Office/Cell/Fax Numbers: _____

LEGAL STANDING: _____

(If non-owner applicant)

PROPOSED ACTION(S): _____

(Describe proposed improvements)

VARIANCE REQUESTED: Chapter 50 - Section: _____ (Staff)

(i.e. setback, coverage, etc.)

RATIONALE FOR VARIANCE: In order to grant a variance, the Zoning Board must find that the application satisfies all of the **Variance Conditions** and clearly demonstrates one of three **Special Findings**, as specified in **Section 50-64** of the Zoning Code. Please read Section 50-64 (attached) and describe below how your application would satisfy one or more of the **Special Findings**.

[Continued on next page]

I (we) hereby grant permission for members of the East Lansing Zoning Board of Appeals, its staff and its consultants the right to enter onto the property described in this application in my (our) absence for the purpose of gathering information, including but not limited to the taking and use of photographs.

Please check one:

☐ Yes

☐ No

By the signature(s) below, I (we) certify that the information provided in this application, including the accompanying plans and other documentation is, to the best of my (our) knowledge, true and accurate.

Owner (mandatory)

Date

Applicant

Date

INSTRUCTIONS:

1. Complete all sections of the application; add additional sheets or information as needed. The current **property owner must sign** the application.
2. A non-refundable filing fee, payable to the *City of East Lansing*, must be paid at time of filing an application.
3. At a minimum you must provide a **survey, plot plan or accurate site plan** for all specific variances from such dimensional requirements as lot area and width regulations, building height, bulk regulations, yard width, side and depth regulations and off-street parking and loading requirements. Other information, such as pictures and building plans, may be useful.
4. All applications must be received by the Department of Planning & Community Development **five weeks prior (see schedule)** to the date of the Zoning Board's meeting, to be placed on the Board's agenda.
5. It is essential to **appear at the hearing in person** or to be represented by a duly authorized agent.

SUBMIT TO: Department of Planning, Building and Development
East Lansing City Hall, Room 217, 410 Abbot Road, East Lansing, MI 48823
Phone: (517) 319-6930 Fax: (517) 337-1607 E-mail: coelzba@cityofeastlansing.com

For Office Use:

DATE RECEIVED: _____ **ZBA HEARING:** _____

MATERIALS SUBMITTED _____ Site Plan/Survey _____ Building Plan(s) _____ Written Information
Other _____

Check No: _____ **Date:** _____ **By:** _____

Wetland: Y N **Flood Plain:** Y N **Historic District:** Y N **DDA Area:** Y N

Note: If the application involves property which falls within any of the above designated special areas, review by one or more other City boards or commissions will likely be required and may affect the overall review schedule.

Section 50-64 from Chapter 50 - Zoning of the Code of the City of East Lansing

- (3) **Variances.** The Board shall have the power to authorize upon an appeal specific variances from such dimensional requirements as lot area and width regulations, building height, bulk regulations, yard width, side and depth regulations, and off-street parking and loading requirements as specified in this Chapter, provided, however, that all of the following variance conditions are adhered to and that at least one (1) of the following special findings can be satisfied:
- a. **Variance Conditions.** All of the following conditions, in the judgment of the Board, shall exist before any variance from this Chapter shall be granted. Any variance granted shall:
 - 1. Not be contrary to the public interest or the general intent and purpose of this Chapter.
 - 2. Not permit the establishment of a use within a given district which is prohibited therein.
 - 3. Not be a variance so commonly recurring as to make reasonably practical the formulation of a general regulation by the City Council.
 - 4. Not cause substantial adverse effect to properties in the immediate vicinity or in the zoning district where the variance is located.
 - 5. Relate only to property that is described in the application for the variance.
 - b. **Special Findings.** If all the foregoing variance conditions can be satisfied, a variance may be granted when the Board determines that any one of the following special findings can be clearly demonstrated:
 - 1. That there are practical difficulties or unnecessary hardships resulting from the physical characteristics of the property in question which make it unfeasible to carry out the strict letter of this Chapter. Increased financial return to the applicant shall not be considered just cause for a variation based upon hardship.
 - 2. That there are exceptional or extraordinary circumstances or conditions which apply to the property in question that do not apply to other properties and which have not resulted from any act of the applicant subsequent to the adoption of this Chapter.
 - 3. That such variation is necessary for the preservation of a substantial property right possessed by other properties within the same zoning district.