

**Charter Township of White Lake
Oakland County, Michigan
APPLICATION INSTRUCTIONS
ZONING BOARD OF APPEALS**

1. Please read these instructions carefully before submitting the attached application. Fill out the entire application in detail. If a portion is not applicable in your case, please mark "Not Applicable" or "N/A" on the application.
2. In addition to the attached application, you must submit the following:
 - a. **Proof of Ownership**
If you are not the property owner of record, a copy of the land contract, option to purchase, purchase agreement, lease agreement, or letter of authority from the property owner must be presented with the application to indicate the applicant's interest in the subject property. In addition, a letter of no objection from the property owner may be required by Township staff.
 - b. **Plan or drawing – one copy**
Attach one copy of the plot plan of the subject property drawn to scale. The plan must depict the shape and dimension of the property, all existing and proposed structures and building-to-building and building to property line relationships.
 - c. **Mortgage Survey – one copy**
 - d. **Letter of denial from the Building Department**
The Building Department must have reviewed and formally denied your application for a building permit before a Z.B.A. application can be considered for processing.
3. The required filing fee is **\$350.00 for residential land uses** and **\$400.00 for non-residential land uses** and must be submitted with the application. An additional **10%** of the total will be collected to cover administrative processing costs.
4. All proposed additions must be staked and flagged.
5. The attached application must be completely filled out and all documents, plans, other necessary information, and the application fee, as required, must be submitted before the application will be considered complete and accepted for processing. The application will then be placed on the next available Zoning Board of Appeals agenda.
6. You will be notified of the date and time that your request will be considered by the Zoning Board of Appeals (Z.B.A.). Please attend or have a representative attend if you cannot attend the scheduled meeting. All Z.B.A. meetings are held at the Township offices, 7525 Highland Road, White Lake, Michigan.
7. Notification is given by mail to all property owners of record within 300 feet of the subject property at least 15 days prior to the meeting.
8. Information relative to the powers and duties of the Z.B.A. can be found in Article 7.36 of the White Lake Township Zoning Ordinance. To be granted a variance, an applicant must provide proof that a **practical difficulty** exists and the practical difficulty must relate to a unique circumstance of the property which prevents the applicant from reasonably using the property for a permitted use. Furthermore, no variance shall be granted unless all of the criteria found in Section 7.37 of the Zoning Ordinance have been met.

APPLICATION CHECKLIST:

- COMPLETED, SIGNED APPLICATION
- LETTER OF AUTHORIZATION FROM THE PROPERTY OWNER
- ONE COPY OF THE PLAN OR DRAWING (SEE ABOVE)
- ONE COPY OF THE MORTGAGE OR STAKE SURVEY (SEE ABOVE)
- LETTER OF DENIAL FROM BUILDING DEPARTMENT
- COPY OF BUILDING PERMIT APPLICATION
- APPLICATION FEE (see #3 above)

Please direct any questions to the White Lake Township Planning Department at 248.698.3300 extension 163.

NOTE: ZONING BOARD OF APPEALS MEMBERS AND TOWNSHIP STAFF WILL LIKELY VISIT THE SITE PRIOR TO THE MEETING AS PART OF THEIR PREPARATION FOR EACH CASE.

CHARTER TOWNSHIP OF WHITE LAKE
Zoning Board of Appeals
APPLICATION

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: _____ PHONE: _____

ADDRESS: _____

APPLICANT'S EMAIL ADDRESS: _____

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: _____ PARCEL # 12 - _____

CURRENT ZONING: _____ PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

APPLICATION FEE: _____ (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: _____ DATE: _____

REGARDING STEP 4:

**ALL PROPOSED ADDITIONS MUST BE STAKED
AND FLAGGED**

**IN ORDER FOR YOU TO BE PLACED ON THE
NEXT AVAILABLE ZONING BOARD OF APPEALS
AGENDA, THE ADDITIONS MUST BE STAKED
AND FLAGGED TEN DAYS PRIOR TO THE ZBA
MEETING. FAILURE TO DO SO MAY CAUSE
YOUR CASE TO BE TABLED.**

WHAT DOES PRACTICAL DIFFICULTY MEAN?

To obtain a variance, the applicant must show “practical difficulty”, by demonstrating:

- (A) Whether strict compliance with area, setbacks, frontage, height, bulk or density would **unreasonably prevent** the owner from using the property for a **permitted purpose**, or would render conformity unnecessarily burdensome;
- (B) Whether a variance would do **substantial justice** to the applicant as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others;
- (C) Whether the plight of the owner is due to **unique circumstances** of the **property**;
- (D) Whether the problem is **self-created**.

The Zoning Board of Appeals must insure that the “spirit of the ordinance is observed, public safety secured and substantial justice done”.

Therefore, if (D) is true, the decision should be **NO**.

If (D) is false, and (B) and (C) are true, the decision is probably **YES**.

If the applicant only meets (A) and the problem is not self-created (D), the decision should be **NO**.