



FOUNDED 1832

## Zoning Board of Appeals

Dear Petitioner:

Attached is an application to the Milford Township Zoning Board of Appeals (ZBA) for a variance from Zoning Ordinance of the Township of Milford (Zoning Ordinance). Please complete the attached application in its entirety and return it to the Building Department. *Application for a variance must be filed at least four (4) weeks prior to the scheduled meeting date of the ZBA.*

Each application for Variance is considered individually by the ZBA. The ZBA is a board of limited power; it cannot change the Zoning Ordinance or grant relief when it is possible to comply with the Zoning Ordinance. **YOU are responsible for presenting the information necessary to support the relief requested.** While much of the necessary information is gathered through the completed application, other information may be gathered by on-site visits, other sources, and during the ZBA meeting.

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You **MUST** submit the following with your application:

❖ **PLOT PLAN:**

**Ten (10) prints** of a plot plan, drawn to scale, showing the lot or lots in question and the intended structural layout. These prints will remain as part of the petition.

❖ **SUPPORTING STATEMENT:**

A written statement indicating the purpose of the variance, why the requested change is necessary for the preservation and enjoyment of substantial property rights, how the change is consistent with the master plan, and why such a change would not be detrimental to the public welfare or the property of persons located in the vicinity. (See additional information on back.)

❖ **TOPOGRAPHICAL LAYOUT (for private roads):**

If the variance concerns a private road, **ten (10) prints** of topographical layout of the road in addition to a plot plan showing the location of the road must be submitted with the application.

❖ **PAYMENT:**

The fee for appearing before the ZBA for residents pertaining to residential properties is **\$375.00**. For all other requests the fee is **\$750.00**. Please make check payable to **The Charter Township of Milford**. If you have any questions, please contact the Building Department (248) 685-8731. The Building Department will notify you at the time you submit your application of the date and time of the next ZBA meeting.

### MANDATORY

At least **TWO (2) WEEKS** prior to the hearing the **front property corners must be clearly "staked."** Also, an all weather sign (not less than 12x18 inches in size) showing the **variance number** must be centered on the front property line so that it is **clearly visible from the road**. If a building or addition is involved, the dimensions of the building or addition must be clearly defined and staked. ZBA members may visit the site without prior notification to property owners. The ZBA reserves the right to **POSTPONE** any case **in which the property in question is not clearly defined** because of your failure to comply with this requirement.



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## NON-USE ZONING VARIANCE APPLICATION CONSIDERATIONS

It is a difficult job deciding whether or not to approve a requested variance. A non-use zoning variance applies only to an unusual condition or circumstance of the land (property) being evaluated. A variance will not be granted to give you special privilege not enjoyed by your neighbors. ZBA members consider carefully the information supplied through the completed application, gathered from a site visit and from other sources, and obtained during the ZBA meeting. Accuracy and completeness is important because this information is used by the ZBA to: a) determine the facts of your specific situation, b) reach a final decision on your application, and c) establish the official record of the ZBA's actions on your application should later reference be necessary.

The ZBA is a body of limited power; it cannot change the zoning ordinance. It may provide relief where due to unique aspects of the property the strict application of the zoning ordinance to the land results in practical difficulties or unnecessary hardships. It is important to remember that a decision to grant a variance request must meet specific standards found in Section 32-66 of the Zoning Ordinance of the Township of Milford. When these standards are met, a variance may be granted. A variance, if granted, must be in harmony with the zoning ordinance and granted only when the public health and safety is secured and substantial justice is done. By taking into account the following factors and providing information on how or why your application meets each of them, you support your request and help ZBA members decide if a variance request is justified.

**1. UNIQUENESS:**

Is your lot unique in terms of size, shape, topography or location when compared to other lots in the same zone?

**2. USEABILITY:**

Can the property reasonably be used in a manner consistent with the requirements of the Zoning Ordinance?

**3. COMMONALITY:**

If the variance is denied, would you be denied privileges enjoyed by neighboring properties?

**4. CAUSATION:**

Is the need for the variance created by your actions?

**5. IMPACT:**

Will the variance, if approved, have an adverse affect on the property values of adjoining properties?

**6. DAMAGE:**

Will the variance injure or damage neighboring properties considering hazards from fire, flood, lights, traffic congestions, and other similar concerns?

**7. CONFORMITY:**

Is the variance contrary to the intent and purpose of the Zoning Ordinance?

**8. PERSONAL:**

Is the variance requested because of your personal or economic hardship rather than the unique physical situation of the particular property?

**9. MINIMIZATION:**

Does the variance constitute the minimum action necessary to permit reasonable use of the land and buildings?



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CHARTER TOWNSHIP OF MILFORD

Oakland County

## Charter Township of Milford Application for Non-Use Variance - Zoning Board of Appeals

ZBA Meeting Date  

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at 7:30 p.m in the Meeting Hall located  
at the Civic Center,  
1100 Atlantic St. Milford, MI 48381

Variance # \_\_\_\_\_

Fee Paid \_\_\_\_\_

Received By: \_\_\_\_\_

**Name of Applicant** \_\_\_\_\_

**Address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_ **Zip Code** \_\_\_\_\_

**Phone Number** \_\_\_\_\_

**X** \_\_\_\_\_  
Signed by Applicant Date

**Name of Representative** \_\_\_\_\_

**Address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_ **Zip Code** \_\_\_\_\_

**Phone Number** \_\_\_\_\_

**X** \_\_\_\_\_ (if applicable)  
Signed by Representative Date

**Name of Property Owner** \_\_\_\_\_

**Address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_ **Zip Code** \_\_\_\_\_

**Phone Number** \_\_\_\_\_

**X** \_\_\_\_\_  
Signed by Property Owner Date

**OWNER AND APPLICANT SIGNATURES REQUIRED**



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**Property Information**

road road

North side of the road. subdivision.

feet feet

acres.

A letter is attached, indicating purpose and intent of the requested variance and reasons supporting the request.

A Plot Plan or Site Plan, drawn to scale, is attached showing the following(all plans are made a part of the application):

- Private Roads
- Structure(s), existing and proposed (including measurements & size)
- Measurements to property lines
- Topography, showing drainage where applicable
- Easements and rights-of-way
- Other elements that affect the application

Yes

If Yes, provide explanation in the Letter.

At least **TWO (2) WEEKS** prior to the hearing the front property corners **must be clearly "staked."** Also, a sign (or other means) showing the **variance number** must be centered on the front property line so that it is **clearly visible from the road.** If a building or addition is involved, the dimensions of the building or addition must be clearly defined and staked. ZBA members may visit the site without prior notification to property owners. The ZBA reserves the right to **POSTPONE** any case **in which the property in question is not clearly defined** because of your failure to comply with this requirement.

I have **read and understand** the application.

**X**

Signed by Applicant / Representative

1100 Atlantic Street Milford, Michigan 48381-2000 (248)685-8731 Fax (248)685-9236 Website: milfordtownship.com