



PLANNING DEPARTMENT
576 Liberty Park, Lapeer, MI 48446
(810) 664-4553
ZONING BOARD OF APPEALS
VARIANCE APPLICATION

Fees: Varies See Below

All requests for a zoning variance are subject to a public hearing. ***Regular meetings of the Zoning Board of Appeals are held on the fourth (4th) Monday of each month at 6:30 p.m. at Lapeer City Hall.*** Upon receipt of your application and payment of the fee, this office will prepare all legal notifications required to hold a public hearing. In addition, the Planning Department shall publish notice of the public hearing in a newspaper of general circulation in the local unit of government, as well as provide notice of the public hearing to all property owners within a 300 foot radius of the subject property and utility companies, not less than fifteen (15) days before the date the application will be considered for approval.

A non-refundable filing fee made payable to the City of Lapeer must accompany your application. A variance application and associated fee should be filed for each variance request regarding a different section of the Zoning Ordinance.

Single Family Residential Zoning Districts: \$250.00

All Other Zoning Districts: \$450.00

Applicant Information

Name: _____

Address: _____

Phone Number: _____ Email Address: _____

Property Owner Name and Address (if different than above): _____

Property Information

Property Address: _____

Parcel Number (Tax ID Number): _____ Zoning District: _____

Action Requested

The applicant requests the Zoning Board of Appeals to grant a variance(s) to Section(s)
_____ of the City of Lapeer Zoning Ordinance.

Please state the intended action and the reason the project cannot be accomplished within the requirements of the City of Lapeer Zoning Ordinance:

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In consideration of all variances (*non-signage*), the ZBA shall review each case individually as to its compliance with each of the following standards **and may only approve variance requests which comply with all of the following:**

- (1) The standard for which the variance is being granted would unreasonably prevent the owner from using property for a permitted purpose or would render conformity unnecessarily burdensome; and
- (2) The variance would do substantial justice to the applicant as well as to other property owners in the zoning district and a lesser relaxation of the standard would not provide substantial relief and be more consistent with justice to others; and
- (3) The problem is due to circumstances unique to the property and not to general conditions in the area; and
- (4) The problem that resulted in the need for the variance was not created by the applicant or previous owners of the property; and
- (5) Issuance of the variance would still ensure that the spirit of the ordinance is observed, public safety secured and substantial justice done.

Sign variances may be granted for any one of the following conditions:

- (1) The applicant has demonstrated a variance is needed due to a practical difficulty on the site, such as varied topography, horizontal or vertical road curvature, or presence of structures or desired trees that limits visibility of a sign on the premises compared to similar sites with conforming signs in the same zoning district; or
- (2) A variance is warranted due to the relatively large size of the site, frontage or building in comparison to other establishments in the same zoning district; or
- (3) A variance would significantly improve the conformity of an existing sign; or
- (4) The variance would permit a sign with historic significance to be retained.

To grant a sign variance all of the following standards must also be met:

- (1) The inability to conform with the regulations is due to a practical difficulty or unique condition that includes more than mere inconvenience or mere inability to attain a supposed higher financial return; and
- (2) That the alleged practical difficulties or unique condition, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the City; and
- (3) That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by the regulations, the individual practical difficulties that will be suffered by a failure to grant a variance, and the rights of others whose property would be affected by the allowance of the variance, and will not be contrary to the public purpose and general intent of these regulations; and
- (4) The variance granted is the minimum necessary to allow the applicant to enjoy the same rights as other establishments in the same zoning district, have a reasonable outlet for free speech and meet the intent of the sign regulations; and
- (5) The variance will not adversely affect the health, safety and welfare of the public.

Plot Plan

Please provide a detailed, scaled plot plan and elevation drawings showing the nature of the variance request, including, but not limited to: property boundaries, existing and proposed buildings and structures with dimensions to property lines, the height of all proposed structures, and show and label abutting street(s). The requested variance(s) should also be noted on the plot plan.

The Zoning Board of Appeals may attach conditions to the granting of a variance.

I (we), the undersigned, acknowledge that approval of a zoning variance by the City of Lapeer constitutes an agreement with the City and, that if a variance is granted; any conditions imposed by the City of Lapeer relative to the variance will be complied with.

Applicant's Signature(s): _____

Print Applicant Name(s): _____

Date: _____

Signature(s) of Property Owner(s): _____
(If different than applicant)

Print Property Owner(s) Name: _____

Date: _____