



SPARTA TOWNSHIP

160 E. Division St, Sparta MI 49345
(616) 887-8863 Fax (616) 887-3823
www.spartatownship.org

ZONING BOARD OF APPEALS PROCEDURES AND DEADLINES

Deadline: The deadline to submit materials for a Zoning Board of Appeals Meeting is by 5:00 p.m., 45 days prior to the next scheduled meeting date. The materials must be dropped off at the Sparta Township Office, 160 E. Division St., Sparta, MI 49345.

Meeting: The Zoning Board of Appeals meets the second Tuesday of the month at 7:00 p.m. at the Sparta Township Hall meeting room.

Cost: Request Fee: \$600; Escrow: \$1,500

Submittal: Eight (8) identical packets must be submitted to the Township along with the fee by the deadline. They should be folded in 8 1/2" by 11" sizes. The packets should contain any supporting documents such as proof of ownership, surveys, site plans, drawings, pictures, and narratives. An electronic copy (PDF) of the packet shall also be submitted.

Please call the Township Hall with any questions: 616-887-8863

DO NOT DISCARD THIS PAGE. YOU MUST SUBMIT THIS PAGE WITH YOUR APPLICATION

DO NOT WRITE BELOW THIS LINE - TOWNSHIP USE ONLY

Applicant Name & Address: _____

Application Fee/Escrow _____ **Date Received** _____ **Date Notices Mailed** _____

Public Hearing Date _____ **Approved** ____ **or Denied** ____ **or Approved with Conditions** _____

¹ Escrow funds are used to reimburse planning, engineering, and legal fees incurred. If the fund drops below 10% of the deposit, an additional deposit will be required to continue. Any funds remaining will be refunded when the project is complete. Any approvals will be subject to requiring any outstanding funds due are paid in full.

IMPORTANT INFORMATION and STIPULATIONS REGARDING VARIANCES

1. Now that you have paid your fee, a date will be set for a public hearing.
2. All property owners within 300 feet of the parcel under consideration will be notified of the hearing.
3. All current and delinquent property taxes for the parcel should be paid in full prior to the hearing.
4. You should appear at the hearing to answer any questions which the Zoning Board of Appeals may have.
5. A decision will be made concerning your request. You will be sent a copy of the Decision.
6. For requests involving the splitting of property: if the ZBA approves your request, you will then need to file, with an additional fee, an Application for Land Division.
7. A variance is good for one year from the date it is granted. It may be renewed for one more year by the Zoning Administrator if he/she finds it to be appropriate. If the terms of the variance have not been fulfilled by the deadline, the variance will be null and void.
8. More detailed explanations of the procedure and the standards for variances can be found in the Sparta Township Zoning Ordinance, Sections 15.09 and 15.10, available in the office or at www.sparta-township.com.
9. The application fee is not refundable.

WHAT THE APPLICANT MUST PROVE IN ORDER TO OBTAIN A VARIANCE

In order for an applicant to obtain a variance, the applicant must demonstrate to the Sparta Township Zoning Board of Appeals that all of the standards for a variance contained in the Sparta Township Zoning Ordinance will be met. There are two types of variances – use variances and non-use/dimensional variances. Depending upon which type of variance request is involved, you will have to demonstrate to the Zoning Board of Appeals that your variance request meets all the following:

A. Non-use/Dimensional Variance – the Applicant must demonstrate “practical difficulty” and the following:

1. That the need for the requested variance is due to practical difficulties in carrying out the strict letter of the zoning ordinance arising from unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography.
2. That the asserted difficulty is not due to the applicant’s personal or economic difficulty. Increased financial return alone shall not be deemed sufficient to warrant a variance.
3. That the need for the requested variance is not the result of actions of the property owner or previous property owners.
4. That strict compliance with regulations governing area, setback, frontage, height, bulk, density, or other dimensional requirements will unreasonably prevent the property owner from using the property for permitted purposes or will render conformity with those regulations unnecessarily burdensome.
5. That the required variance is the minimum variance necessary to do substantial justice to petitioner as well as to other property owners in the district.
6. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.
7. That the need for the requested variance is not based primarily on nonconforming use(s) of nearby lands, structures, or buildings.

B. Use Variance – the Applicant must demonstrate “unnecessary hardship” and the following:

1. The property cannot be reasonably used for any of the uses permitted in the zoning district in which it is located.
2. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography.

3. That the need for the variance is not due to the applicant's personal or economic hardship.
4. That such unique circumstances or physical conditions of the property are not so general or recurrent in nature to make it reasonably practicable to address them by amending this Ordinance.
5. That the proposed use will not alter the essential character of the neighborhood.
6. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).
7. That the authorizing of such variance will not be of substantial detriment to the adjacent and nearby properties.
8. That the need for the requested variance is not based primarily on nonconforming use(s) of nearby lands, structures, or buildings.



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PETITION FOR VARIANCE

Name of Applicant: _____

Address: _____

Phone No. _____ Email: _____

Name, Address and Phone Number of Owner, if different from Applicant: _____

Address of Property for Variance _____

Parcel Number of Property 41-05- _____ Zoning District _____

Property is Located between _____ and _____ Road

Section(s) of the Sparta Township Zoning Ordinance from which relief is sought: _____

Reason for seeking variance: _____

A site plan must accompany this application.

Would the applicant grant permission for the members of the Zoning Board of Appeals to visit the property in question?

Yes _____ No _____

The applicant has read all the attached information and understands the terms and conditions of this application and hereby applies for the requested variance.

Signature of Applicant _____