

CITY OF LUDINGTON, MICHIGAN
Department of Building & Zoning
400 S Harrison., Ludington, MI 49431
Phone: (231) 843-2956 FAX: (231) 845-1146

APPLICATION FOR BOARD OF ZONING APPEALS PUBLIC HEARING

All Information needs to be in by _____
Your Hearing will be _____

\$200.00 Fee

NOTICE TO APPLICANT: Meetings of the Board of Zoning Appeals (BZA) are scheduled for the *third Tuesday of the month*. These meetings are held at 5:30 p.m. at the City Municipal Building, 400 S Harrison St., Ludington, MI. Application with all required information and applicable fees must be submitted to the Zoning Administrator's by deadline date **before any action will take place.**

BACKGROUND INFORMATION: The Board of Zoning Appeals is created to offer reviews and decisions when an interpretation of the Zoning Ordinance or zoning district boundary is questioned, when an order or decision of an administrative official or body is questioned, when the Zoning Ordinance empowers the Appeal Board to hear specific uses, or when a variance from the strict interpretation of the ordinance is sought to avoid a specific hardship. A hardship must involve a unique situation rather than one which represents a minor inconvenience. The Appeal Board is not a legislative body, it does not have the power to rezone or change uses. Any decision of the Appeals Board must comply with the basic spirit (intent) of the Ordinance while maintaining the public health, safety and welfare of the area and the community at large. If your request represents a significant change from the established intent, then an amendment to the Zoning Ordinance may be the proper solution.

GENERAL REQUIREMENTS: In order to expedite your request, it is required that you submit certain basic information to allow the Board of Zoning Appeal members the opportunity to properly understand and consider the request.

When providing the required information, you may attach any additional or supplemental information you feel will be useful to the Board members in their deliberations.

It is up to the applicant to prove to the Board that a hardship or practical difficulty exists. It must be shown that the request cannot be done according to what is required by the zoning ordinance. For example, the way the land is shaped or contoured may prevent the request from being placed according to what the ordinance requires.

V. Effect Other Properties If your request is granted, what effect will it have on the area.

NOTE: At the public hearing, the BZA may take the following actions:

1. Approve the request subject to the terms and conditions set forth in the application.
2. Approve the request subject to amended and/or additional terms and conditions they feel are reasonable and appropriate to maintain the public health, safety and welfare. This may also include financial or other guarantees that will ensure your compliance with the stated terms of approval.
3. Deny the request as not being in the public interest and as being contrary to the basic spirit and intent of the Zoning Ordinance.
4. Table the request pending clarification of any additional problems or questions which may arise as a result of the public hearing.

Listed below are the standards by which the Appeal Board is governed in making decisions:

- (a) **Practical difficulties or unnecessary hardships do exist.**
- (b) **The variance will not be detrimental to adjacent properties, or to the surrounding neighborhood.**
- (c) **The variance is in harmony with and serves the general intent and purpose of this Ordinance.**
- (d) **Alleged hardships or practical difficulties include more than personal inconvenience and financial hardship. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.**

Signature of Applicant /Owner

Date

Signature of Zoning Administrator/Building Inspector

Date