

**CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
INSTRUCTION AND INFORMATION SHEET**

The instruction and information sheets are designed to help you understand the appeal process and to help you submit a complete application for review by the Zoning Board of Appeals. If you have any questions after reading these instructions you may contact the Planning and zoning department for assistance.

**JURISDICTION AND STANDARDS**

The Board of appeals shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms of the Ordinance nor to permit any use in a district in which it is not permitted, but does have the power to act as follows:

**Administrative Review**

To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit decision or refusal made by the Zoning Administrator or any other administrative official or body in carrying out or enforcing any provision of the Ordinance. The Board of Appeals shall not have the power to hear and decide appeals pertaining to special land uses.

**Variance**

A variance shall be classified as either use variances or dimensional variances.

**Use variances shall not be approved in the Township**

Dimensional variances shall be approved only upon a Board of Appeals finding that strict application of the regulations would result in peculiar or exceptional practical difficulties to the owner of such property.

**SUCH A FINDING SHALL BE MADE, ONLY WHEN ALL OF THE FOLLOWING CRITERIA ARE MET:**

1. Exceptional characteristics of property for which the variance is sought make compliance with dimensional requirements substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property that shall be considered shall include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.
2. The characteristics that make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.
3. The characteristics that make compliance with the dimensional requirements shall not be of a personal nature.
4. The characteristics that make compliance with the dimensional requirements difficult must not have been created by the current or a previous owner.
5. The proposed variance will not be harmful to or alter the essential character of the area in which unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the Public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the Township.
6. **THE BOARD OF APPEALS SHALL NOT FIND THAT ANY OF THE ABOVE CRITERIA HAVE BEEN MET WITHOUT SUBSTANTIAL EVIDENCE TO THAT EFFECT.**
7. The proposed variance will be the minimum necessary, and no variance shall be granted where a different solution not requiring a variance would be possible.

Any variance that authorizes construction contrary to the requirements of the Ordinance shall be void after a period of six (6) months unless the construction so authorized is commenced within six (6) months of the granting of the variance and diligently pursued until completion.

**ORDINANCE INTERPRETATION**

To interpret the language and map of the Zoning Ordinance.

**GUIDELINES FOR DRAWING A SCALED PLAN**

Scaled plot plans of the subject parcel must accompany the application. **INCOMPLETE APPLICATIONS OR DRAWINGS WILL NOT BE ACCEPTED.** Your plot plans must include the following:

1. The actual (true) shape, location and dimensions of the lot.
2. The shape, size and location of all buildings or other structures to be erected, altered or moved and of any buildings or other structures on the lot. Include distances to all lot lines.
3. The location of drives, access ways, easements, wells, septic tanks, drainfields, water bodies and water courses, showing distances to lotlines, existing and proposed structures.
4. The location of the power line, where connected to the home and its location across the property and location of any utility poles.
5. The distance to all structures, septic systems and wells on adjacent parcels and their use, e.g., home, barn, shed, wells, etc.

Applicants must supply eight (8) copies of the plot plan when submitting drawings larger than 11" x 17".

### **STAKING OF PROPERTY**

The Board of Appeals members make on site inspections of all requests. Your property lines and proposed construction must be clearly marked at least one (1) week prior to the hearing date. Wood stakes or florescent paint lines are acceptable. If the Board Members are unable to clearly define the property in question because of failure of applicant to comply with this requirement, **NO ACTION WILL BE TAKEN AT THE SCHEDULED PUBLIC HEARING.**

In addition to staking, vacant property **must be posted** with the Applicant's name and case number. The sign must be 8 ½ " x 11" or larger.

### **MEETING DATES AND APPLICATION DEADLINES**

The Zoning Board Appeals meets the first and third Wednesdays of each month at 7:30 p.m. Only five (5) cases are heard at each meeting. Check with the Planning and Zoning Department for the next available hearing dates.

### **BUILDING PERMITS**

**Building permits are not automatically issued. If a variance is granted, you must apply for a building permit.**

Case # \_\_\_\_\_

Hearing Date \_\_\_\_\_

**CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS  
APPLICATION FOR APPEAL**

APPLICANT	
NAME	_____
ADDRESS	_____
	_____
	_____
PHONE Daytime:	_____
Evening:	_____

OWNER	
NAME	_____
ADDRESS	_____
	_____
	_____
PHONE Daytime:	_____
Evening:	_____

**APPLICANTS INTEREST IN PROPERTY: Applicant must provide the following:**  
Proof of ownership (warranty deed, land contract, etc.)  
Authorization letter from owner, if signature can not be obtained on application.

**PROPERTY DESCRIPTION:** Sidwell # \_\_\_\_\_  
Address \_\_\_\_\_ Zoning \_\_\_\_\_

**ORDINANCE SECTIONS BEING APPEALED:** \_\_\_\_\_  
\_\_\_\_\_

**VARIANCES REQUESTED:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I certify that** all required information is shown on the attached plan and included on this form. I acknowledge that by signing this application, I am granting the right of the Zoning Board of appeals members, inspectors and administrators to conduct a site inspection of the subject property. All statements are true to the best of my knowledge.

**SIGNATURE OF OWNER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SIGNATURE OF APPLICANT:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Signature of applicant must be notarized.

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, Notary Public  
My Commission expires \_\_\_\_\_

<b>APPLICATION FEE: \$125.00</b>	
Receipt # _____	Date Paid _____
Received by _____	