

**YANKEE SPRINGS TOWNSHIP  
ZONING BOARD OF APPEALS  
REQUEST FOR A VARIANCE**

ZBA # _____
Date approved _____
Date denied _____

**APPLICANTS INFORMATION:**

NAME \_\_\_\_\_ Date \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_

STATE \_\_\_\_\_ ZIP \_\_\_\_\_ TELEPHONE (HOME) \_\_\_\_\_

Email \_\_\_\_\_ (CELL) \_\_\_\_\_

**PROPERTY OWNER & LOCATION:**

OWNER \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_

PROPERTY OWNER'S PHONE \_\_\_\_\_

PARCEL ID NO. \_\_\_\_\_ SECTION NO. \_\_\_\_\_ ZONED \_\_\_\_\_

**VARIANCE REQUESTED:**

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**REASON FOR REQUEST:**

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It is further noted any variance granted shall be valid for a period of SIX MONTHS from the day of notification of the granting of the variance (Sec 20.9), during which time a building permit must be obtained and the erection or alterations commenced. No application for a variance which has been denied wholly or in part by the Z.B.A. shall be resubmitted for a period of one (1) year from the date of denial except on the grounds of newly discovered evidence or proof of changed conditions. An aggrieved party may appeal to circuit court within 30 days of this decision. (Sec. 20.12)

I/we also understand that if this variance is denied, the fee is non-refundable.

**ADDITIONAL REQUIRED INFORMATION:**

1. Proof of ownership of the property for which the variance is requested.
2. A site plan showing the location of all buildings, including the distance from all property lines to the closest point of each structure, on the subject property and within 100 feet of the property. Property must be staked for "accurate distances" by the owner one week prior to Variance hearing.
3. A copy of the latest survey drawing of the property showing all of the existing buildings on the property. Survey should be no larger than 8 1/2 x 14 inches.
4. A check made payable to Yankee Springs Township for the application fee of \$300.00.

I/we hereby agree to comply with the terms and requirements of the Yankee Springs Township Zoning and Building Ordinances and the decision of the Zoning Board of Appeals concerning this request. I/we understand that the penalty for violation the above mentioned Ordinances could be a fine, jail sentence and /or the removal of that portion of the structure in violation of the Ordinances(s) at my expense.

Applicants'

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Owners'

Signature \_\_\_\_\_ Date \_\_\_\_\_

**RIGHT TO ENTER PROPERTY:**

I/WE hereby agree to allow the members of the Township Zoning Board of Appeals, the Zoning Administrator or their representatives to enter my property for the purpose of inspecting the site of the above application.

**PROPERTY OWNER/S**

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

FEE RECEIVED

BY \_\_\_\_\_ DATE \_\_\_\_\_

AMOUNT \$ \_\_\_\_\_

Cash.....Check #.....

RL/sm (rev) 1-20-11 (rev 3-27-12) pg 1 & 2 Rev 11220 /Rev 8-22

**YANKEE SPRINGS TOWNSHIP  
ZONING BOARD OF APPEALS**

**VARIANCES:**

The Yankee Springs Township Zoning Board of Appeals shall have the power to authorize a variance, from the strict adherence to the Township Zoning Ordinance, where strict adherence to the Ordinance will result in practical difficulties or unnecessary hardships to the person/s owning or having the beneficial use of the property, or sign, for which a variance is sought.

A variance may be granted only in cases involving practical difficulties or unnecessary hardships when the evidence in the official record of the appeal supports all of the following affirmative findings:

1. *That the alleged hardships and/or practical difficulties are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the township.*

PLEASE EXPLAIN YOUR HARDSHIP AND/OR PRACTICAL DIFFICULTY WITH YOUR PROPERTY.

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2. *That the alleged hardships and/or practical difficulties, which will result from a failure to grant a variance, include substantially more than mere inconvenience, or mere inability to attain a higher financial return.*

PLEASE EXPLAIN HOW FAILURE TO RECEIVE A VARIANCE WOULD AFFECT YOUR USE OF YOUR PROPERTY.

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3. *That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by the Zoning Ordinance, the individual hardships that will be suffered by failure of the Zoning Board of Appeals to grant a variance, and will not be contrary to the public purpose and general intent and purpose of the Zoning Ordinance.*

PLEASE EXPLAIN WHAT BENEFITS WOULD BE GAINED BY THE GRANTING OF A VARIANCE FOR YOUR PROPERTY TO YOU AND THE PUBLIC THAT ARE NOT AVAILABLE WITHIN THE ZONING ORDINANCE.

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Applicant's Signature

Date

Please use reverse side for more information if needed!

RI/s/m 1-2011 zba variance pg 1 & 2 rev 8-22

### **Checklist for Non-Use (dimensional) Variance**

The applicant for a variance must show that strict compliance with the provisions of the zoning ordinance would result in “practical difficulty” by proving all five of the following elements:

1. That the alleged plight of the landowner is due to the unique circumstances of the property (such as topography, location of well or septic) that do not generally apply to other properties in the area.
2. That a literal interpretation of the provisions of the zoning ordinance would unreasonably prevent the landowner from using the property for a permitted purpose or would render conformity with such provisions unnecessarily burdensome.
3. That the variance, if granted, would not be significantly detrimental to adjacent property and the surrounding neighborhood.
4. That the request, or a lesser relaxation of the ordinance standards, would provide substantial justice to the landowner and neighbors.
5. That the alleged plight of the landowner is not self-created. In other words, the property owner must show that he did not take an affirmative action that created the need for this variance.

STANDARDS

NON-USE (DIMENSIONAL) VARIANCE

- A. Unique Circumstances applying to the property. Possible examples:
  - Surface water/wetlands/dunes
  - Steep topography/shoreline erosion
  - Surrounded by roads on three sides
  - Presence of major transmissions lines
  - Reduced frontage due to road widening
  - Other...How is this property different?
  
- B. Preservation of a substantial property right.
  - Is the variance necessary for the development of the property? Are there reasonable alternatives that comply with the Ordinance?
  - If the variance is not granted, will development of the property be unusually difficult or burdensome?
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- C. Will the Variance have an adverse effect on adjacent properties?
  
- D. Will the Variance materially impair the intended purpose of the Zoning Ordinance?
  
- E. Was the need for the variance self-created?

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EFFECTIVE MAY 11, 2004 THE TOWNSHIP ZONING BOARD OF APPEALS WILL NOT HEAR ANY REQUESTS UNLESS THE REQUEST INCLUDES A SURVEY DRAWING OF THE SUBJECT PROPERTY SIGNED AND SEALED BY A REGISTERED SURVEYOR.

Owner/Applicant  
Signature \_\_\_\_\_

Date \_\_\_\_\_