



Charter Township of Washington

Zoning Board of Appeals: Submittal Process

ZONING BOARD OF APPEALS: APPLICANT SUBMITTAL CHECKLIST

10 Copies of the following information is required to be submitted with your application:

- A completed, signed application
- Payment- Please make your (non-refundable) check payable to "Washington Township".
- A plot plan, survey or site plan showing the existing conditions, easements, building setbacks and existing structures prior to the request you are making before the ZBA.
- A plot plan, survey or site plan clearly delineating the proposed variance request that also includes all easements, building setbacks and existing structures. This plan must be completed by a professional, we will not accept any plans that are hand drawn or pictures representing similar examples to what you are requesting.
- Architectural Renderings/Elevation drawings, if your request includes any type of new structure.
- Floor plans, building plans or a site plan if your request is scheduled to appear before the Planning Commission.
- An approval letter from the HOA or Management Company. If one does not exist or apply for the property in which your variance request is for, please complete the acknowledgment form that is included with the application.
- Pictures of the site (aerial images are also acceptable) and surrounding uses.

ZONING BOARD OF APPEALS: PROCESS AFTER APPLICATION SUBMITTAL

Attendance is required: The Zoning Board of Appeals requires the applicant or a representative to be present at the meeting. You will receive an agenda prior to the meeting date advising you on how and where the meeting will take place. Please reference the acknowledgment section of this application which explains the process for requesting to be postponed or a request to withdraw your application.

Appealing a Decision: The decision of the Zoning Board of Appeals shall be final. An applicant that is not satisfied by the decision may appeal to the Macomb County Circuit Court. An appeal from a decision of a zoning board of appeals shall be filed within whichever of the following deadlines comes first:

- Thirty days after the zoning board of appeals issues its decision in writing signed by the chairperson, if there is a chairperson, or signed by the members of the zoning board of appeals, if there is no chairperson.
- Twenty-one days after the zoning board of appeals approves the minutes of its decision.

Circuit court appeal: Any applicant that is not satisfied by a decision made by the Zoning Board of Appeals may appeal to the Macomb County Circuit Court. The Circuit Court shall review the record and decision to ensure that the decision meets all of the following requirements:

- Complies with the constitution and laws of the state.
- Is based upon proper procedure.
- Is supported by competent, material, and substantial evidence on the record.
- Represents the reasonable exercise of discretion granted by law to the zoning board of appeals.

If the court finds the record inadequate to make the review required by this section or finds that additional material evidence exists that with good reason was not presented, the court shall order further proceedings on conditions that the court considers proper. The zoning board of appeals may modify its findings and decision as a result of the new proceedings or may affirm the original decision. The supplementary record and decision shall be filed with the court. The court may affirm, reverse, or modify the decision.



Charter Township of Washington
Zoning Board of Appeals Application

Type of Variance (please check one and list the nature of your request):

- Residential (setback/patio/fence/deck/garage/accessory structure): _____
- Permanent Sign: _____
- Commercial/Industrial/Development: _____
- Appeal of an Administrative Decision: _____
- Miscellaneous: _____

Property Information:

Address/Site Location: _____

Parcel #: _____ Acreage: _____ Current Zoning: _____

Applicant Information:

Name: _____ Address: _____

Business/Cell Phone: _____ Email Address: _____

Legal Owner (if different from the applicant):

Name: _____ Address: _____

Business/Cell Phone: _____ Email Address: _____

Please indicate what article and section number from our Zoning Ordinance you are requesting a variance from:

- Article 2.0 Definitions Section: _____
- Article 3.0 Zoning Districts Section: _____
- Article 4.0 Use Standards Section: _____
- Article 5.0 Site Standards Section: _____
- Article 6.0 Development Procedures Section: _____
- Article 7.0 Administration, Appeals & Enforcement Section: _____

Please complete the following sentence that best describes your variance request:

I am requesting a variance in the amount of _____ square feet from the minimum required by ordinance.

I am requesting a variance in the amount of _____ feet from the minimum _____ setback required by ordinance.

I am requesting a variance for _____ parking spaces from the minimum _____ parking spaces required by ordinance.

I am requesting an appeal from an administrative decision made by: _____.

****INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED****



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Application Fee:

ZBA Residential (includes multi-family)	Initial Fee for 1 variance request	Fee for 2 variance requests	Fee for 3 variance requests (\$100 for each additional request after 3)
New Board Approved Fee	\$560	\$685	\$760

ZBA Non-Residential (commercial/industrial)	Initial Fee for 1 variance request	Fee for 2 variance requests	Fee for 3 variance requests (\$250 for each additional request after 3)
New Board Approved Fee	\$1,000	\$1,500	\$1,750

Zoning Board of Appeals Meeting Dates 2024:

May 6th, 2024, June 3rd, 2024, July 1st, 2024, August 12th, 2024, September 9th, 2024, October 7th, 2024,
*No November Meeting, December 2nd, 2024

Meetings start at 6:30 p.m. in the Washington Township Hall Board Room located at 57900 Van Dyke Washington Township MI 48094, unless notified otherwise.

All submissions must be turned in 30 days prior to the day of the meeting NO EXCEPTIONS

Terms & Conditions for variance requests that are APPROVED by the ZBA:

If the Zoning Board of Appeals approves a variance request, it will remain valid for a 12-month period from the date the approval is granted. If the applicant fails to make significant progress towards the project completion within that 12-month period, the variance will expire. Significant progress shall include the issuance of either a Building permit, Planning Commission Approval or Engineering submission and review.

HOA acknowledgment if there is an active HOA:

Please include documentation showing that this request has been reviewed and approved by the HOA for the development in which you live if the request being made is subject to HOA approval. This can be in the form of a letter or email. Please initial below acknowledging that you have included this with the request for a variance:

Initials: _____

HOA acknowledgment affidavit if an HOA is not active and/or does not exist:

To the best of my/our knowledge there are no mandatory homeowner’s association dues assessed to this property, nor have we ever paid any homeowners association dues in connection with the above referenced property. A title/property search has been conducted as well as verifying with the State of Michigan (DLEG) records confirming that there is no homeowner’s association incorporated or otherwise governing the subdivision/development for which this property is located within.

Initials: _____

The following provisions of the Washington Township Zoning Ordinance must be met in full before a variance can be granted. Please respond to each of the five criteria as it pertains to your request:

A. That the strict enforcement of the provisions of the Township Zoning Ordinance would cause practical difficulty and/or unnecessary hardship and deprive the owner of rights enjoyed by all other property owners owning property within the same zoning district. (Please explain the hardship as to why you need to request this variance)

B. That the conditions and circumstances are unique to the property which is not similarly applicable to other properties in the same zoning district. (Please explain the uniqueness with this request for the property in question)

C. That the conditions and circumstances are unique to the property were not created by the owner or his/her predecessor in title, within the time following the effective date of the provisions alleged to adversely affect such property. (Please describe how the variance you are requesting is not one in which you are creating but rather an existing condition)

D. That the requested variance will not confer special privileges that are denied other property owners similarly situated and in the same zoning district. (Describe the neighboring properties and how this request is similar to what presently exists within the same area and/or development)

E. That the requested variance will not be contrary to the spirit and intent of this Zoning Ordinance. (Please explain how this request is not one that will adversely affect any other ordinance provision or set precedence if approved)

By signing this application, you are acknowledging that the information provided is a true and accurate representation of the request being made.

Signature of Applicant

Signature of Legal Owner

Date
