

NOTICE OF APPEAL

TO: CITY ZONING BOARD OF APPEALS

BY: _____
Name of Appellant

Address of Appellant

City, State, Zip

Phone (daytime) _____

Appeal No. _____
Date Received _____
Tax Parcel No. _____
Fee Received _____
(amount and date)
Receipt No. _____
Hearing Date _____
ZBA Action _____
Date _____
File No's of Previous
Actions _____

Please Note: All questions must be answered completely. If additional space is needed, number and attach additional sheets. The total number of attached sheets is _____.

I. ACTION REQUESTED.

I (we), the undersigned request a hearing before the City of Menominee Zoning Board of Appeals for the purpose indicated below:

- _____ Ordinance of map interpretation
_____ Variance
_____ Appeal from administrative decision
_____ Other authorized review

II. PROPERTY INFORMATION

A. Legal description of property affected by this appeal:

B. List all deed restrictions (attach additional sheets if necessary).

C. Name and address of all other persons, firms or corporations having a legal or equitable interest in the land.

D. This area is _____ unplatted, _____ platted, _____ will be platted. If platted, give name of plat _____

E. Attach a site plan drawn to a scale of not more than 1" = 20', showing roads, alleys, property lines, buildings, driveways, parking areas, and any other features that may be pertinent to consideration of your request.

- F. The present use of the property is _____
- G. The present zoning district classification of the property is _____
- H. If a previous appeal or other zoning action has been made with respect to this property within a year, state the date, nature of action or request, and decision _____

III. DETAILED REQUEST AND JUSTIFICATION

- A. Complete this section if you are requesting an interpretation of Zoning Ordinance or Map.

1. The appellant respectfully requests the Board of Appeals make an interpretation of:
- (a) the location of district boundaries on the City of Menominee Zoning District Map as applied to the property described in this application.
 - (b) The provisions of section _____ of the Zoning Ordinance.
 - (c) Other, specify _____

- B. Complete this section if you are requesting a variance from the requirements of the Zoning Ordinance.

The appellant respectfully requests the Board of Appeals grant a variance on the above described property.

1. Indicated below are the ordinance requirement(s) which are the subject of the variance request.
- | | | |
|-------------------------|--------------------|-----------------|
| _____ setback | _____ sideyard | _____ placement |
| _____ offstreet parking | _____ lot coverage | _____ height |
| _____ signs | _____ lot area | _____ other |
2. State exactly what is intended to be done on, or with the property which necessitates a variance from the Zoning Ordinance.
- _____
- _____
3. Describe the characteristics of your property which require the granting of a variance (include dimensional information).
- | | | |
|-------------------|-----------------|-----------------------|
| _____ too narrow | _____ elevation | _____ soil |
| _____ too small | _____ slope | _____ subsurface |
| _____ too shallow | _____ shape | _____ other (specify) |

4. Justification for granting the requested variance. The appellant must show that strict application of the provisions of the Zoning Ordinance to this property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the ordinance. In order for the Board of Appeals to determine whether unnecessary hardship exists, the appellant should provide answers to each of the following questions:

- a. Can the property in question be used in a manner permitted by the Zoning Ordinance if a variance is not granted?

_____yes _____no

If "no", what unnecessary hardship will result if the variance is not made?

- b. To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having property interests in the land after the Zoning Ordinance or applicable part thereof became law?

_____yes _____no

If "no", explain why the hardship should not be regarded as self-imposed (self-imposed hardships are not entitled to variances).

- c. Are the conditions of your property the result of other man-made changes (such as relocation of a road or highway)? _____yes _____no

If "yes", describe

- d. Will strict application of the terms of the ordinance deny use of the property for any purpose to which it is reasonably adapted? _____yes _____no

If yes, how?

- e. Is the variance applied for due to unique circumstances present on your property or to general conditions in the area? _____yes _____no.

If "yes", explain any peculiar or unique conditions, and how many other properties in your area are similarly affected.

- f. Would granting the variance change the essential character of the area?

_____yes _____no If "yes", explain

- g. Would granting the variance be contrary to any city development plans?
_____yes _____no. Explain _____

- h. Would granting the variance be contrary to the intent and purpose of the Zoning Ordinance? _____yes _____no
If "yes", explain. _____

- i. Other comments in support of this application _____

C. Complete this section if you are appealing an administrative decision.

The appellant respectfully requests the Board of Appeals to reverse/modify the Zoning Administrator's decision (copy attached) on Application no. dated _____. It is alleged that the Zoning Administrator erred in the interpretation of M.O.C. _____, his order, requirement, decision, or determination regarding the issuance of a _____ permit and that reversal/modification of said decision should be granted because _____

Specify decision sought: _____

D. Complete this section if you are seeking an Other Authorized Review.

This appellant respectfully petitions the Board of Appeals to grant the following review: (specify review requested) _____, as authorized and according to the provisions of M.O.C. _____.
Specifically state your request: _____

IV. IMPACT ON SURROUNDING LANDS

If your request is granted:

- A. What are likely to be the positive and negative impacts of this decision on surrounding land and neighbors?

- B. How do you propose to minimize any potential negative impacts which your proposed activity may cause?

V. AFFIDAVIT

The undersigned acknowledges that if a variance is granted or other decisions favorable to the undersigned is rendered upon this appeal, the said decision does not relieve the applicant from compliance with all other provisions of the City Zoning Ordinance; the undersigned further affirms that he/she or they is(are) the _____ (specify: owner, lessee, or other type of interest such as authorized agent for the owner) involved in the appeal and that the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her or their knowledge and belief.

applicant signature

date

applicant signature

date

