



Spring Lake Township  
 Building and Planning Department  
 101 S. Buchanan  
 Spring Lake, MI 49456  
 (616) 842-1340  
 www.springlaketwp.org

## SPRING LAKE TOWNSHIP ZONING BOARD OF APPEALS APPLICATION

**Applicant information** *(Applicant is the party responsible for doing the work)*

Name \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
 Email \_\_\_\_\_

**Owner information** *(If different from applicant)*

Name \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Address \_\_\_\_\_

**Property information** Address/Location \_\_\_\_\_

Parcel # 70-03-\_\_\_\_\_

Subject Property size *(acres or sq ft)* \_\_\_\_\_ Width \_\_\_\_\_ Length \_\_\_\_\_

Current Zoning \_\_\_\_\_

Required Setbacks: Front \_\_\_\_\_ Side \_\_\_\_\_ Rear \_\_\_\_\_

Setback Provided: Front \_\_\_\_\_ Side \_\_\_\_\_ Rear \_\_\_\_\_ (setbacks are measured from the eaves of new buildings)

**REQUEST** \_\_\_\_\_  
 \_\_\_\_\_

**APPLICABLE SECTION(S) OF THE ORDINANCE** \_\_\_\_\_  
 \_\_\_\_\_

**INSTRUCTIONS AND GENERAL INFORMATION:**

- A pre-application meeting or discussion with Township staff is strongly encouraged.
- \$650 Fee. There is no refund if the request is denied. An escrow of \$300 is included in this fee, and is used to pay for public hearing notices, attorney fees, engineering or survey fees, or any other special studies. Should expenses total more than the deposit, the applicant will be billed by the Township for the additional costs, or additional escrow payment shall be required to complete the Zoning Board of Appeals process. Should expenses total less than the deposit received, excess amounts of the escrow fee shall be returned to the applicant.
- Provide the original application and eight (8) individual packets of ZBA materials for distribution to ZBA members and staff. Packets shall be **bound** in some fashion (staff will not bind materials), well organized and include the following materials, if applicable:
  - o ZBA Application
  - o Cover letter describing the project, why it is necessary, and how it does or does not comply with the applicable review criteria
  - o Scaled site plan illustrating the following:
    - Existing and/or proposed structures with setback to property lines
    - Water bodies and regulated wetlands, if present.
    - Driveways
    - Easements
  - o Building Elevations, preferably to scale
  - o Lot Coverage (this includes buildings and decks only)
  - o Landscaping Plan, if applicable
  - o Michigan Department of Environment, Great Lakes & Energy (EGLE) documentation, if applicable

- All materials in the packet must be submitted electronically to [lhill@springlaketwp.org](mailto:lhill@springlaketwp.org). This information will be posted on the Township website for review by the public.
- All materials must be submitted by the application deadline, typically four (4) weeks in advance of the preferred meeting date unless otherwise specified by staff. Deadlines are set to comply with various Ordinance requirements and to permit adequate time for Board and staff review.
- All proposed structures must be staked out two (2) weeks in advance of the meeting.
- All ZBA members and staff will inspect the site prior to the meeting.
- A public hearing notice will be sent to all property owners within 300 feet of the project and placed in the Grand Haven Tribune 15 days prior to the hearing. The hearing will be open to anyone who wishes to speak on the application.
- While not required, it is suggested that the applicant reach out to adjacent property owners to discuss the request in advance of the meeting. Note that it is not required to obtain their approval in order to have the variance granted.
- The applicant or a designated representative must attend the meeting to present the application request to the ZBA. After the presentation, the ZBA will typically ask follow up questions then hold the public hearing. After the hearing, the ZBA will deliberate and decide on the application.

Failure to provide all required information with the application may cause the request to be denied or tabled until an acceptable site plan is submitted

**PURPOSE OF APPLICATION FORM**

It is the applicant's responsibility to obtain a copy of the Zoning Ordinance and comply with all relevant provisions. It is not the intent of this form to, in anyway, address all requirements and obligations for the applicant.

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate and I have read the information presented in this application. I hereby grant permission for members of the Township Zoning Board of Appeals, staff and consultants to enter the subject property for the purpose of gathering information related to the request.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature of Property Owner (if different from applicant)*

\_\_\_\_\_  
*Date*

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**For Office Use Only**

Date Received \_\_\_\_\_

Fee : \_\_\_\_\_

In addition to these specific standards, general standards will be used in reviewing a proposal for a variance.

**FACTORS FOR CONSIDERING A DIMENSION VARIANCE (SECTION 112 I)**

For a dimension variance, the Board of Appeals must find that all of the following facts and conditions exist:

1. There are exceptional or extraordinary circumstances or conditions applying to the property in question, as to its intended use, that do not apply generally to other properties or classes of uses in the same zone.
2. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties or classes of uses in the same zone. The possibility of increased financial return shall not of itself be deemed sufficient to warrant the granting of a variance.
3. The variance, if granted, will not be of substantial detriment to adjacent property and will not materially impair the intent and purpose of this Ordinance or the public interest.
4. The condition or situation of the property or its intended use is not of so general or recurrent a nature as to make reasonably practicable a general regulation for the condition or situation.
5. Any exceptional or extraordinary circumstances applying to the property in question are not self-created.
6. The enforcement of the literal requirements of this Ordinance would involve practical difficulties.

**FACTORS FOR CONSIDERING AN ACCESSORY BUILDING AUTHORIZATION (SECTION 306 F)**

Accessory Buildings or Structures of a greater area, in excess of the maximum height standards, or in excess of the maximum number of Buildings, may be authorized by the Board of Appeals pursuant to Section 603 of the Zoning Act. In order to qualify for an authorization under this Section, the application must first comply with the following standards.

1. The total square footage of all Accessory Buildings and Structures on a Lot shall not be more than twice the amount of square footage of Accessory Buildings and Structures allowed by right.
2. A landscaping plan shall be submitted with a Site Plan for any Accessory Building or Structure subject to this Subsection. When an Accessory Building or Structure subject to this Subsection will be visible from the Street or an adjacent Lot, existing trees and other screening vegetation should be preserved. If no screening currently exists, new landscaping shall be provided if deemed appropriate by the Board of Appeals, considering the nature of the area and the degree to which the Accessory Building or Structure is visible.
3. All of the Buildings and the Structures on the Lot shall not exceed the Lot Coverage standards of the underlying Zoning District.
4. The proposed Accessory Building or Structure shall generally be compatible with the architecture style and Building form of the principal Building, except for Buildings such as Greenhouses, which perform a specific function requiring a particular Building form.
5. The area, height, and massing of the proposed Accessory Building or Structure shall be proportional to the overall area of the Lot upon which it is placed and consistent with other residential Buildings or Structures in the surrounding neighborhood.
6. The Accessory Building or Structure shall be located in such a manner as to not cause a storm water runoff nuisance on adjacent property and shall meet the intent and guidelines of the Stormwater Management provisions in Article VI of Chapter 14 of the Township's Code of Ordinances.
7. The Board of Appeals may require a restrictive covenant, such as a deed restriction, recorded with the Ottawa County Register of Deeds, indicating that any future division of the subject Lot shall meet the limits for Lot Area and Accessory Building or Structure size provided in Section 306. The covenant shall be provided to the Zoning Administrator prior to the issuance of a permit under Section 116.

**FACTORS FOR CONSIDERING AN ATTACHED GARAGE AUTHORIZATION (SECTION 322 C 13)**

On any Lot, the total square footage of an Attached garage shall not exceed the square footage of the largest Story designed and used for living purposes in the Dwelling, up to one thousand five hundred (1,500) square feet. An Attached garage larger than one thousand five hundred (1,500) square feet, but not greater than the square footage of the largest Story designed and used for living purposes in the Dwelling, may be authorized by the Board of Appeals pursuant to Section 603 of the Zoning Act. Further, only on Lots of two (2) acres or greater in size, an Attached garage larger than the largest Story designed and used for living purposes in the Dwelling may be authorized by the Board of Appeals pursuant to Section 603 of the Zoning Act. In order to qualify for either of these authorizations, the application must first comply with the following standards.

1. All of the Buildings and the Structures on the Lot shall not exceed the Lot Coverage standards of the underlying Zoning District.
2. The area, height, and massing of the proposed Attached garage shall be proportional to the overall Lot Area upon which it is placed; proportional to the size of the Dwelling on the Lot; and consistent with other residential Buildings and Structures in the surrounding neighborhood.
3. The Board of Appeals shall require a restrictive covenant, such as a deed restriction, recorded with the Ottawa County Register of Deeds, indicating that any future division of the subject Lot shall meet the limits for Lot Area and Accessory Building or Structure size provided in Section 306, and shall satisfy any conditions placed by the Board of Appeals upon an authorization granted under this subsection. The covenant shall be provided to the Zoning Administrator prior to the issuance of a permit under Section 116.