

Application No. _____

**CLINTON TOWNSHIP BOARD OF APPEALS
APPEAL OR VARIANCE APPLICATION**

This application form must be accompanied with a \$ 300.00 check or money order, made payable to the Clinton Twp. Trustees for legal advertising.

Name of Applicant: _____

Mailing Address: _____

Telephone Number: Business _____ Home _____

Locational Description: Township _____ Section _____
(Attach a Legal Description & Map Depicting the Location)

I hereby appeal to the Board of Zoning Appeals the refusal of a zoning certificate by the Clinton Township Zoning Inspector for the reason that:

- (check one)
- There was the following error in said decision. (Appeal)
- A variance should be allowed in this case, to avoid unnecessary hardship.

Justification of Variance:

In order for a variance to be granted, the applicant must prove to the Board of Zoning Appeals that the following items are true:

(Please attach these comments on a separate sheet.)

- a. special conditions exist peculiar to the land or building in question
- b. that a literal interpretation of the resolution would deprive the applicant of rights enjoyed by other property owners
- c. that the special conditions do not result from previous actions of the applicant
- d. that the requested variance is the minimum variance that will allow a reasonable use of the land or buildings

(Decision of Board of Zoning Appeals – Within 30 Days After Case is Submitted)

----- (for office use) -----

_____	_____	
Date Application Filed	Appellant	
_____	_____	_____
Date of Application to Parties in Interest	Date in Newspaper of General Circulation	Date of Hearing

Decision of Board: _____

Date of Decision: _____

Attest:

_____	_____
Secretary	Chairman, Board of Zoning Appeals

100-22.5 STANDARDS

In consideration of all appeals for variances, the Board of Zoning Appeals shall review each case individually as to its applicability to each of the following standards so that the proposed variance of new land use:

1. Will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the Zoning District in which it is to be located.
2. Will be of a nature that will minimize the hazards resulting from vehicular and pedestrian traffic taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child vehicle contacts in residential districts.
3. Will be designed as to location, size, intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
4. Will be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
5. Will relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific area of the Township.
6. Is necessary for the public convenience at that location.
7. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.
8. Will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.

100-22.6 APPEALS

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing with the Zoning Inspector, from whom the appeal is taken, and with the Board of Zoning Appeals, a notice of appeal specifying the ground thereof. The Zoning Inspector from whom the appeal is taken shall forthwith transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least ten (10) days notice in writing to the parties in interest, give notice of such public hearing by one (1) publication in one (1) or more newspapers of general circulation in the county at least ten (10) days before the date of such hearing and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appear in person or by attorney.