



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, otherwise the item will be POSTPONED to another meeting date. You will received an agenda prior to the meeting date advising you on how and where the meeting will take place, (in person or virtually).

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/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: _____

Application Fee: \$360.00 Residential/Permanent Signs \$500.00 Development/Commercial

10 copies of the following information is required to be submitted with the completed application:

- A plot plan, survey or site plan showing the existing conditions prior to the request you are making before the ZBA and then a plot plan, survey or site plan clearly showing the proposed variance request. Both plans need to include any existing structures, proposed structures, all easements and building setbacks.
- An approval letter from the HOA or Management Company. If there is not an active HOA or Management Company, please complete the acknowledgment form included with this application.
- Architectural Renderings, if your request includes any type of new structure.
- Pictures of the site and surrounding uses.

**** Incomplete submissions will not be accepted.**

PL _____

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2021 Meeting Dates and Deadlines for ZBA Submissions

Zoning Board of Appeals Monday at 7:00 p.m. in the Washington Township Board Room	
Deadline Date	Meeting Date
December 14, 2020	January 4, 2021
January 4, 2021	February 1, 2021
February 8, 2021	March 1, 2021
March 9, 2021	April 5, 2021
April 6, 2021	May 3, 2021
May 11, 2021	June 7, 2021
June 14, 2021	July 12, 2021
July 6, 2021	August 2, 2021
August 16, 2021	September 13, 2021
September 7, 2021	October 4, 2021
October 4, 2021	November 1, 2021
November 9, 2021	December 6, 2021
December 7, 2021	January 3, 2022

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 AFFIDAVIT IF AN HOA IS NOT ACTIVE AND/OR DOES NOT EXIST:

Address: _____ Development Name: _____

To the best of my/our knowledge there are no mandatory homeowners 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.

 Signature of Legal Owner Additional Signature (if needed) Date

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

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)

**All of our Township Ordinances are available online at www.washingtontownship.org
If you have any questions regarding this application, please contact the Planning and Zoning Department
at 586-677-4222 or by email at berschbackd@washingtontwpmi.org**