

## **INSTRUCTIONS FOR COMPLETING APPLICATION FOR VARIANCE**

Identify owner and lessee of the property as to which you are asking for a variance. Only an owner of the property (or an agent who provides the Board with written authority from the owner) can ask for a variance.

Often, the deed to a piece of property will specify what can and cannot be built on the property. Or it may specify the ways in which the site may or may not be divided or used. In addition, some subdivisions have rules involving, for example, whether fences can be built on the property. If there are any restrictions in your deed or any subdivision rules, please supply those on line 1.

When you ask for a zoning variance, ***you are asking permission to do something which violates the Zoning Ordinance***. So, you need to explain why the law should not apply to you. In order for the Board to grant you a variance, the Board must decide that obeying the law would create a special problem for you which is a) different from everybody else, and b) harsh (for example, you cannot use your property at all if you do not get the variance). The Board must also decide that the variance would be fair to the people who are protected by the Zoning Ordinance, such as your neighbors. So, on line 3, you need to tell the Board why your situation is so special that you cannot obey the law that everyone else must obey. On line 4, you need to tell the Board the bad things which would happen to you if the variance isn't granted. On line 5, you need to explain to the Board why it is fair to your neighbors to allow this variance, as well as the reason this variance would be consistent with the spirit of the Zoning Ordinance.

If you think the law preventing you from carrying out your plans for your property is a bad law, you should write a letter to the City Council asking that the law be changed so that you – and others like you – can do what the law currently forbids. On line 6, please state whether or no you wrote such a letter and, if so, what happened as a result. If you did not write such a letter, please use line 7 to tell the Board why you did not write such a letter.

Sometimes a property owner would be able to sue his land – or build on it – just as he/she would like if the site were in a different zoning district. Have you tried to get your property rezoned? On line 8, please state whether you tried to get your property rezoned and, if you did, what happened. If you did not try to get your land rezoned, please use line 9 to say why you didn't try.

There are certain other instructions on the form. Please follow those instructions, as well as the additional instructions on the back side of this form. Note that if an agent signs the application on behalf of the owner, the agent must provide written proof of his/her authoring to sign the application.

Please note that your application will be reviewed to make sure you have answered every question directly. So, remember to complete each line. The Board is required to make a decision on each of the questions presented on lines 3-5, so pay attention to those questions. Your application will also be reviewed to ensure that you submit a complete set of materials to the Board.

The Inspector who reviews these materials use the following checklist:

\*Note: If paperwork is 11" x 17" or smaller a copy is required. If larger 10 copies are required.

- \_\_\_ \*1 Copy of Plot Plan drawn to scale, showing
- \_\_\_ Shape and dimensions of the lot
- \_\_\_ Existing building and accessory buildings
- \_\_\_ Lines within which the proposed structure is to be erected or altered
- \_\_\_ Existing and intended use of each building or part of a building
- \_\_\_ Number of families or household units building is designed to accommodate
- \_\_\_ Miscellaneous lot information (state type of information here): \_\_\_\_\_
- \_\_\_ Adjacent lots with building locations and address numbers
- \_\_\_ Photograph or architectural rendering or rendering
- \_\_\_ Plan of the building, sign, or property involved (in addition to the plans which accompany the permit application) if any new construction, addition or alteration

For signs only:

- \_\_\_ \*1 copy of plot plan, drawn to scale, clearly showing the proposed location of the sign (for all signs, this means plot plans showing the sign's location on the property, complete with setbacks from all property lines; for wall signs, this includes the road frontage of the property and an elevation depicting the length of the façade and the sign's location thereon)
- \_\_\_ \*1 detailed plan of the proposed sign(s), including a color rendering of same

Your appeal will be placed on the Board's agenda once your application and accompanying materials have been reviewed and approved.

### **FEE SCHEDULE FOR ZONING BOARD OF APPEALS**

Payment by check only – payable to: City of Livonia

Section 21.10 Filing Fees: Each application for appeal shall be given a number and shall be accompanied by a filing fee as determined by the schedule below:

<u>TYPE OF APPEAL:</u>	<u>FEE</u>
Existing single family residential	\$150.00
New single family residential	300.00
Commercial / Industrial	350.00
Day Care / Family or Group	300.00
Other use Variances	500.00
All other appeals	400.00

#### GENERAL PROVISIONS:

- A. In the event an applicant or applicant's representative request is granted a postponement of the hearing subsequent to the mailing of Legal Notices, an additional fee of \$100.00 shall be required and paid prior to the newly established hearing date.
- B. Rehearings and renewals of temporary variances require the payment of a new fee as determined by this schedule.
- C. Appeals for additions or modifications to existing single-family residential uses in zoning districts other than residential shall be subject to the existing Single-family residential fee.
- D. Sign appeals shall be considered as separate appeals and not to be incorporated with other appeals.

**APPLICATION FOR APPROVAL OF GROUP DAY CARE HOME**

City of Livonia Zoning Board of Appeals

Pursuant to City of Livonia Zoning Ordinance

Sections 4.11 and 5.14

Sections 4.11 and 5.14 of the Zoning Ordinance gives the Zoning Board responsibility for approving all new group day care homes (those involving more than 6, but not more than 12, children) in RUF and R-1 through R-5 Districts, provided the home in question meets the standards set forth in Section 4.02 (a) or (b), (1) through (15). Anyone seeking approval of a group day care home must explain how he/she meets these standards by answering ALL the following questions:

1. Are you licensed by the State of Michigan to conduct a group day care home? \_\_\_\_\_  
Please attach a copy of your license to this application.

2. A new group day care home shall not operate within 1,000 feet from any existing registered family day care home or group day care home. Please state the address of the nearest registered family day care home or group day care home to your home, as well as the approximate distance (measure from the nearest property lines of the two properties) between your home and said registered family day care home or group day care home.

\_\_\_\_\_

3. Have you registered your group day care home with the City Clerk? \_\_\_\_\_  
Please attach proof of registration to this application.

4. Is the day care facility your principal residence? \_\_\_\_\_

5. Your group day care home will not be permitted if it results in traffic congestion or hazards. Explain why the proposed group day care home will not result in traffic congestion or hazards.

\_\_\_\_\_

6. Is your home located on a major thoroughfare (a north-south or east-west mile road)? \_\_\_\_\_  
If so, please attach a plan to this application showing the drop-off/pickup area and demonstrating that it is sufficient to eliminate the need for vehicles to back on to the roadway.

7. Explain why the proposed group day care home will not involve an increase in on-street parking by more than two additional vehicles at a time.

\_\_\_\_\_

8. Please attach to the application, evidence that all State health and safety requirements have been met.

9. Will children be dropped off or picked up between the hours of 10:00 p.m. and 6:00 a.m.? \_\_\_\_\_

10. Will any structural changes or exterior alterations be made to the home in order to accommodate the group day care home? \_\_\_\_\_ If so, please attach evidence that the alterations will not alter the residential character of the dwelling.

11. How many square feet of outdoor play space do you have? \_\_\_\_\_

12. Is the entire play space fence? \_\_\_\_\_ If not, why not? \_\_\_\_\_

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13. Are the neighbors likely to be disturbed by noise coming from the group day care home? \_\_\_\_\_  
If not, why not? \_\_\_\_\_

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14. I agree not to post any sign on the premises advertising this group day care home and will remove any such sign previously posted.

15. Have you registered with the 9-1-1 dispatch center and the City of Livonia Public Safety Department? \_\_\_\_\_

**X**

OWNER

\_\_\_\_\_  
(Type or print name)

\_\_\_\_\_  
(Telephone number)

**X**

OPERATOR, if different from owner:

\_\_\_\_\_  
(Type or print name)

\_\_\_\_\_  
(Telephone number)

ADDRESS OF PROPOSED DAY CARE HOME:

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Please attach a legal description of the property to be occupied by the group day care home.