

**LOWELL CHARTER TOWNSHIP**  
2910 Alden Nash SE  
Lowell, MI 49331  
Phone: 616-897-7600 Fax: 616-897-6482  
[www.lowelltwp.org](http://www.lowelltwp.org)

## ZONING BOARD OF APPEALS PROCESS

**1. Application Fee: \$500.00**

The application fee is used for the administrative costs of processing the request including advertising the public hearing and mailing notices to owners of property within 300 feet of the applicant's property.

**Escrow Fee: \$1,000 (separate check requested)**

The escrow fee pays for the cost of services provided by professional consultants retained by the Township to assist in reviewing the project. **The Zoning Board of Appeals escrow amount may be adjusted per project.** If the initial amount is exhausted additional escrow fee's may be required.

**2. Processing Period**

A zoning variance request takes approximately 45 days to process.

**3. Information to be Submitted by the Applicant**

The following information must be submitted to the Township.

\_\_\_\_ Signed application form                      \_\_\_\_ Application fee

\_\_\_\_ An accurate drawing 11x17 or 8 1/2x11 illustrating the property, buildings, and other features or information which will help the Board understand the variance request.

\_\_\_\_ A completed "Criteria for Granting a Variance" form which will explain to the Board how the variance request meets the criteria for granting a variance request. See attached form. *See Schedule on website*

**4. Application Procedures**

- a) Upon receipt of the required information and fee, the Township in conjunction with the Chair of the Zoning Board of Appeals, sets a public hearing date. It is recommended that you meet with the Zoning Administrator or Planner and review your request as part of the application process.
  
- b) Notice of this public hearing is published in the Lowell Ledger and the notice is also mailed to occupants and property owners within 300 feet of the boundaries of the proposed property. The notice must be published and mailed at least 15 days before the date of the public hearing.
  
- c) A hearing on the appeal for a variance is held, at which time the applicant may appear in person or by agent or attorney. The Board also accepts comments or questions from the audience as well as written comments or questions submitted to the Township Clerk by mail or otherwise. The Board may approve, deny or table a variance request.

**The Board bases its decision on whether the variance request meets the criteria listed in Section 24.07 of the Lowell Charter Township Zoning Ordinance and included on the attached form "Criteria for Granting a Variance".**

The Board may impose conditions in granting a variance request.

A majority vote of the entire membership of the Board, three out of five, is necessary to pass a motion.

d) A copy of the Zoning Board of Appeals decision is provided to the applicant at the meeting if present or sent to the applicant at a later date.

e) The activity authorized by the variance must be underway within one year of the date granted by the Board or the variance will no longer be valid. The applicant, however, may request up to a one-year extension from the Board of Appeals. The request for an extension must be submitted to the ZBA before the initial one-year approval period expires.

## Criteria for Granting a Variance

The Zoning Board of Appeals treats each variance request individually and approves or denies each variance request on its own merits. The Board reviews each variance request according to standards which are contained in Section 24.07 of the Lowell Charter Township Zoning Ordinance. These standards are listed below. The applicant should read these standards and, in the space following each standard explain how the variance request meets the standard and submit this with the application to the Township.

**A. Whether strict compliance with the requirements for area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted use or would render conformity with such requirements unnecessarily burdensome; *(in other words, explain why would it be unreasonable for you to comply with the Ordinance requirement or what burden would be placed on you if you did comply with the requirement)***

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**B. Whether granting the variance requested or a lesser variance where feasible would do substantial justice to the applicant as well as to other property owners in the district without altering the essential character of the neighborhood; *(in other words, if the variance is granted explain why this would not adversely affect your neighbors and the character of your neighborhood)***

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**C. Whether the plight of the landowner is due to the unique circumstances of the property; *(in other words, explain what unique circumstances pertaining to your property and not to other properties in the Township prevent you from complying with the requirement of the Ordinance)***

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**D. Whether the problem is self- created. *(in other words, explain whether some action on your part created a situation which now requires a variance from the Zoning Ordinance)***

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