



City of
WALKER

COMMUNITY DEVELOPMENT
DEPARTMENT

Zoning Board of Appeals Application & Instruction Guide



616.791.6858



cdd@walker.city



www.walker.city



[4243 Remembrance Rd NW Walker MI 49534](#)



COMMUNITY DEVELOPMENT DEPARTMENT

Zoning Board of Appeals Policies and Procedures

- **MEETING DATES:** Regular meetings are held the 2nd Wednesday of the month at 6:30 p.m. in the City Commission Chambers at 4243 Remembrance Rd NW.
- **MEETING ATTENDANCE:** The applicant or representative of the applicant **MUST** attend all hearings related to the application.
- **APPLICATION SUBMITTAL DEADLINE:** 30 DAYS PRIOR TO MEETING DATE and scheduling will be based on the date the *completed application* is received. The zoning administrator must publish a public hearing notice in a newspaper of general circulation at least 15 days prior to the meeting, as well as send public hearing notice postcards to all owners of real property within 300' of the parcel in question.
- **APPLICATION FEE:** \$300 to be paid at time of application submittal. Application fee is non-refundable.
- **SITE PLAN:** Must be submitted with the application. If the site plan does not exceed 11" x 17" in sized, one (a) copy of the site plan may be submitted. If the site plan *exceeds* 11" x 17" in size, eleven (9) copies of the site plan must be submitted with the application. All plans must be folded – rolled plans will not be accepted.
- **APPLICATIONS MUST BE COMPLETE.**
- **APPLICATION WILL NOT BE PROCESSED IF ANY DOCUMENTATION IS MISSING.**
- **PLEASE HAVE PROPERTY STAKED SHOWING PROPERTY LINES AND THE AREA OF PROPOSED CONSTRUCTION.**



SECTIONS FROM THE CITY OF WALKER ZONING ORDINANCE

PLEASE READ CAREFULLY BEFORE COMPLETING PART 2 OF THE APPLICATION

Sec. 94-58. - Jurisdiction.

The board of zoning appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by the building inspector, and shall hear and decide other matters referred to it or upon which it is required to pass under the provisions of this chapter. The board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made as to the premises, and to that end shall have all the powers granted under the provisions of Act No. 110 of the Public Acts of Michigan of 2006, as amended. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this chapter, the board of zoning appeals shall have power in passing upon appeals to vary or modify rules, regulations or provisions so that the spirit of this chapter shall be observed, public safety secured and substantial justice done. (Ord. No. 16-627, § 1, 3-28-2016)

Sec. 94-59. - Granting of variances.

The board of zoning appeals may grant a variance from the provisions or requirements of this chapter if the board finds from reasonable evidence that all the following facts and conditions exist:

- (A) That there are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other properties in the same zoning district.
- (B) That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.
- (C) That authorizing such variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purposes of this chapter or the public interest.
- (D) That the condition or situation of the piece of property or the intended use of such property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation.
- (E) With respect to the use variance, that the property for which a variance is sought cannot reasonably be used in a manner consistent with existing zoning.

Sec. 94-65. - Appeals from the board of appeals.

Any person or any department, board or bureau aggrieved by any decision of the board of appeals may seek review of such decision by a court of record in the manner provided by the laws of the state.

Please refer to the City of Walker Zoning Ordinance for all other sections regarding the Zoning Board of Appeals.



ZONING BOARD OF APPEALS VARIANCE APPLICATION

CITY OF WALKER
 COMMUNITY DEVELOPMENT DEPARTMENT
 4243 REMEMBRANCE RD NW
 WALKER MI 49534
 (616) 791-6858
cdd@walker.city

APPLICATION PART 1		DATE OF APPLICATION:	
1. PROPERTY OWNER NAME: (if property owner is applicant check here: <input type="checkbox"/>)			
NAME:	PHONE:	EMAIL:	
ADDRESS:	CITY:	STATE:	ZIP:
2. PROPERTY ADDRESS: (address of requested variance)			
ADDRESS:	CITY:	STATE:	ZIP:
PPN: 41-11-			
3. APPLICANT: (if other than property owner)			
NAME:	PHONE:	EMAIL:	
ADDRESS:	CITY:	STATE:	ZIP:
4. ZONING DISTRICT:			
5. CITY OF WALKER ZONING ORDINANCE SECTION BEING APPEALED:			
6. PLEASE DESCRIBE THE NATURE OF YOUR APPEAL:			
7. ADDITIONAL QUESTIONS:			
Does land use conform to current zoning? <input type="checkbox"/> YES <input type="checkbox"/> NO			
Does existing structure conform to current zoning? <input type="checkbox"/> YES <input type="checkbox"/> NO			
Who will represent applicant?			
What is applicant's interest in property?			
Is this requested setback the minimum variance needed?			
8. PLEASE ATTACH THE FOLLOWING:			
<input type="checkbox"/> Legal Description			
<input type="checkbox"/> Survey of Property			
<input type="checkbox"/> Elevation drawings of proposed construction			
<input type="checkbox"/> Proposed site plan (all plans must be folded – rolled plans will not be accepted)			
<input type="checkbox"/> Any maps or photos you wish to include			
<input type="checkbox"/> Responses to Part 2 of the application			
9. I GRANT PERMISSION FOR ZONING BOARD MEMBERS TO MAKE AN ONSITE INSPECTION OF THE PROPERTY.			
Signature of Applicant:			Date:

APPLICATION PART 2: Per Section 94-59 Granting of Variances. The Board of Zoning Appeals may grant a variance from the provisions or requirements of this chapter if the board finds from reasonable evidence that all the following facts and conditions exist. For a “Dimensional Variance” complete sections A-D. For a “Use Variance” complete sections A-E. **DESCRIBE HOW THE PROPERTY / REQUEST DEMONSTRATES THE FOLLOWING CRITERIA. USE ADDITIONAL SHEETS AS NECESSARY.**

A. That there are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other properties in the same zoning district.

B. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

C. That authorizing such variance will not be of substantial detriment to adjacent property and will not materially impair the intent and purposes of this chapter or the public interest.

D. That the condition or situation of the piece of property or the intended use of such property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation.

E. With respect to the use variance, that the property for which a variance is sought cannot reasonably be used in a manner consistent with existing zoning.

The undersigned hereby represents that the information contained in this application and in attachments is true and correct.

Applicant’s Signature	Date:
------------------------------	--------------



**CITY OF WALKER
ZONING BOARD OF APPEALS
2023 MEETING & APPLICATION DEADLINE SCHEDULE**

APPLICATION DEADLINE	MEETING DATE
DECEMBER 2022 / JANUARY 2023	
11/30/22	12/21/22
12/14/22	1/11/23
12/28/22	1/25/23
FEBRUARY 2023	
1/11/23	2/8/23
1/25/23	2/22/23
MARCH 2023	
2/8/23	3/8/23
2/22/23	3/22/23
APRIL 2023	
3/15/23	4/12/23
3/29/23	4/26/23
MAY 2023	
4/12/23	5/10/23
4/26/23	5/24/23
JUNE 2023	
5/17/23	6/14/23
5/31/23	6/28/23
JULY 2023	
6/14/23	7/12/23
6/28/23	7/26/23
AUGUST 2023	
7/12/23	8/9/23
7/26/23	8/23/23
SEPTEMBER 2023	
8/16/23	9/13/23
8/30/23	9/27/23
OCTOBER 2023	
9/13/23	10/11/23
9/27/23	10/25/23
NOVEMBER 2023	
10/11/23	11/8/23
DECEMBER 2023	
11/15/23	12/13/23
11/29/23	12/27/23

The Zoning Board of Appeals meets on the second and fourth Wednesdays of every month. All meetings begin at 6:30 p.m. and are held in the City of Walker Commission Chambers at 4243 Remembrance Rd NW. Applications must be received in the Community Development office no later than 5:00 p.m. on the deadline.