



# Zoning Board of Appeals Construction Board of Appeals

Permit application instructions on reverse side  
Application to meet with a Board of Appeals

**Benton Charter Twp.**  
**1725 Territorial**  
**Benton Harbor, MI**  
**49022**  
**Tel: (269) 925-7284**  
**Fax: (269) 925-7156**

DEPARTMENT OF BUILDING, INSPECTION, AND ZONING

**Application shall be submitted at the Township Hall with all supporting documentation. When received, this application will be forwarded to the Zoning or Building Official. The application will be reviewed for completeness. All noticing and legal notification guidelines begin after determining all items are in place for consideration.**

Zoning of Property at time of application:	Property ID #: 11-03-	Completeness of App is required to schedule hearing.	
<b>Circle one:</b> Zoning Board of Appeals Construction Board of Appeals	Size of property: (if applicable)	Date application received:	<b>Fee: \$400</b>
Township Zoning Official acceptance (date):	Township use:	Date application is Completed:	Paid receipt number:

**I. PROPERTY ADDRESS:** Bldg Dept should attach county sheet to app: please **ATTACH LEGAL OWNERSHIP AFFIDAVIT.**

Address of property in question: PROVIDE LEGAL DESCRIPTION	Is a drawing available for this project? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not required
Name and Address of owner with phone number please:	

**II. APPLICANT INFORMATION:**

Check one below: <input type="checkbox"/> Owner <input type="checkbox"/> Other	Name of Applicant:	Title:	Interest in property: Owner or Land Contract, purchaser:
Address (St No. and Name) of applicant:	City	State	Zip Code
Telephone #: FAX #:	Cell number:	<b>EMAIL ADDRESS:</b>	

**III. ACTION REQUESTED:**

**Please state action requested:** Use the space below and the reverse side of this form if necessary. Pictures and site plan may be required.

**IV. PRIOR ACTION**

What action has been requested for this property previously?	What was the result of that action?
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**V. IMPACT ON ADJACENT PROPERTIES (FOR ZBA APPLICATION)**

What impact will the action have upon adjacent properties and neighborhood?
What steps will be taken to mitigate that impact?

**VI. SIGNATURE. Please sign 2x, here and below.**

The undersigned acknowledges that if a request is granted or other decision favorable to the undersigned is rendered upon this application, said decision does not relieve the undersigned from compliance with all other provisions of applicable Township Ordinances, and the undersigned affirms that the answer and statements herein contained and the information Herewith submitted are in all respects true and correct, to the best of his/her knowledge.

Signature of Applicant	Date
X	

**VII. ALLOWANCE TO ENTER PROPERTY:** Please sign 2x, here and above.

I grant permission for Benton Charter Township employees and or agents to enter my property for the purpose to gather site information relative to the above request.

Signature of Applicant	Date
X	

Before completing this application, you may request a meeting with the zoning or Building Official to be sure that your application is complete. **You should submit supporting documentation with your application. The Benton Charter Township ordinances are available to guide you (at the municode.com website). A meeting may streamline the completion of an application.**

**Zoning Board of Appeals (ZBA) criteria for consideration are listed in the Ordinances which can be found at the Municode.com web site in the online library in Berrien County under Benton Charter Township (ordinances). All criteria for approval must be satisfied in order for a variance to be approved (State of Michigan Zoning Enabling Act). The Zoning Board of Appeals meeting is prefaced by public notice in a newspaper of general circulation and letter notice to all neighbors within 300' of the property boundaries.**

**Additional information may be required. Please complete necessary information such as phone, cell phone, and fax information to make it easier to reach you. Other information may be required (per ordinance requirements):**

- 1. A site plan or survey to determine exact distances to property lines and structures.**
- 2. Structure drawings**
- 3. Proof of ownership or purchase agreement showing your legal interest in the property.**
- 4. A check made out to Benton Charter Township in the amount of \$400 for fee to defray expenses for the public hearing and legal notices, and towards expenses of holding the meeting.**

**Action requested: if you wish, consider the services of an attorney. Only your request written on this form will be acted on. No other request may be considered. Please carefully word what it is you wish the Board of Appeals to act upon.**

**Zoning Board of Appeals considers matters relating to the Ordinances. Construction Board of Appeals hears matters relating to construction, building code, or condemnations.**

**The Construction Board of Appeals is established in Public Act 230 of 1972 (as amended) and is designed to appeal a decision of the Building Department in matters of construction, condemnation, or code determination. The process for meeting with the Construction Board of Appeals is NOT a public hearing process. The currently-adopted (by BCT) version of the ICC Property Maintenance Code drives the legal timelines of that process. If you wish a copy of that process, please ask and it will be provided for you.**

**The applicant should plan to attend the Board of Appeals meeting. A decision will not be considered in your absence. If you do not attend, and the meeting needs to be rescheduled, additional fees will apply.**

**Thank you for your application, which initiates the process. We look forward to serving you. Call any time you have questions.**