



# CITY OF MADISON HEIGHTS CONSTRUCTION BOARD OF APPEALS APPLICATION

Application No.: \_\_\_\_\_  
Date Filed: \_\_\_\_\_

(This application must be typed)



1. **Applicant:** Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

2. **Applicant's Interest in Property:** \_\_\_\_\_

3. **Property Owner:** (Attach list if more than one owner)  
Name: \_\_\_\_\_  
Address (Street): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax \_\_\_\_\_

4. **Property Description:**  
Address: \_\_\_\_\_  
Tax Parcel #: \_\_\_\_\_

5. **Present Zoning of Property:** \_\_\_\_\_ **Present Use:** \_\_\_\_\_

6. **Has there been any previous appeal involving these premises?**

Yes  No

### 7. **Variance Requirements**

The State Construction Code provides the following requirements in granting variances from the construction code.

Variance from the Code(s)  
Section 15 of the Act is applicable throughout the state.  
Section 15(1) provides, in part:

“.....a board of appeals may grant a specific variance to a substantive requirement of the code if the literal application of the substantive requirement would result in an exceptional, practical difficulty to the applicant, and if both of the following requirements are satisfied:

(a) The performance of the particular item or part of the building or structure with respect to which the variance is granted shall be adequate for its intended use and shall not substantially deviate from performance required by the code of that particular item or part for the health, safety, and welfare of the people of this state.

(b) The specific condition justifying the variance shall be neither so general nor recurrent in nature as to make an amendment of the code with respect to the condition reasonably practical or desirable.”

Section 15(2) states:

“A board of appeals may attach in writing any condition in connection with the granting of a variance that in its judgment is necessary to protect the health, safety and welfare of the people of this state. The breach of a condition shall automatically invalidate the variance and any permit, license and certificate granted on the basis of it. In no case shall more than minimum variance from the code be granted than is necessary to alleviate the exceptional, practical difficulty.”

**8. Attach a separate sheet of paper to this application completely describing the problem, and the requested variance or remedy, which includes the following:**

1. The year and type of code i.e. 2012 Michigan Building Code.
2. All relevant code sections.
3. A copy of all permits involved in the appeal.
4. A drawing(s) to scale, no larger than 11 x 17 inches, containing all necessary measurements and all features involved in this appeal.
5. A notarized letter of authority where the appeal is made by a person other than the property owner or permit holder.
6. Fee of \$250.00

**FOR THE OWNER:**

**FOR THE APPLICANT IF NOT THE OWNER:**

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Note: A notarized letter of authority or a power of attorney may be substituted for the original signature of the owner.

Notices are to be sent to the Applicant  Owner