

Office Hours:
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INFORMATIONAL: RESIDENTIAL NON-CONFORMING LOTS, LAND USES, AND STRUCTURES

These Non-conformities are addressed in Sections 13.2, 13.3, and 13.4 of the Zoning Ordinance, respectively. Legal non-conforming single lots of record or combinations of single lots of record may be built upon as permitted by the ordinance and Zoning Administrator. Lawful non-conforming uses can be continued but are not to be enlarged, increased, extended, or moved unless re-established in conformance with the ordinance. Legal non-conforming structures may be continued provided they are not enlarged, altered, or moved but the use may be changed to a Permitted Use of the zoning district in which it is located. Subsequently, the non-conforming use shall not be resumed.

BUSINESS AND INDUSTRIAL NON-CONFORMING USE / STRUCTURE APPLICATION
(See Sections 13.5, 13.9, & 14.6 A. 2. e.)

Section 13.5 Changes in Non-conforming Uses in Business and Industrial Districts: If no structural alterations are made, any nonconforming use of a structure and premises may be changed to another nonconforming use of the same or more restricted use classification, provided that the Board of Appeals finds and documents that the proposed use is equally or more appropriate to the District than the existing nonconforming use. In permitting such change, the Board of Appeals may require appropriate conditions in accord with the purpose and intent of this Article. Where a nonconforming use of a structure or land is changed to a more restrictive use classification, it shall not thereafter be changed to a less restricted use classification.

Section 13.9 Hardship Cases: Nonconforming buildings or structures may be structurally changed, altered or enlarged with the approval of the Board of Appeals when the Board finds that the request is a case of exceptional hardship in which failure to grant the relief requested would unreasonably restrict continued use of the property or would restrict valuable benefits that the public currently derives from the property as used in its nonconforming status, except that any approval for structural changes, alterations, or enlargements may be granted only with a finding by the Board of Appeals that approval will not have an adverse effect on surrounding property and that it will be the minimum necessary to relieve the hardship.

Section 14.6 A. 2. e. Non-conformity Appeals: Nonconforming buildings or structures may be structurally changed, altered, or enlarged upon appeal in cases of hardship or other extenuating circumstances, and when approval of said appeal will not have an adverse effect on surrounding property, and when consistent with the requirements in Section 13.9, Hardship Cases.

APPLICANT _____ CASE NUMBER _____ ZONING DISTRICT _____

1. For changes in nonconforming uses, describe the existing non-conforming use and the proposed non-conforming use, as well as the use classification of each:

2. For changes in nonconforming uses, explain how the proposed use is equal to or more appropriate to the current zoning district than the existing non-conforming use:

3. For non-conforming buildings proposed to be structurally changed, altered or enlarged, describe the proposed structural revisions and the exceptional hardship perceived by denial of the request:

4. For non-conforming buildings proposed to be structurally changed, altered or enlarged, describe how denial of relief would unreasonably restrict continued use of the property and/ or how the benefits the Public currently derives from the property would be restricted:

5. Describe any adverse impact on surrounding properties that may result from the granting of this nonconforming use or structure:

6. Additional comments or statements:

The above information is true to the best of my knowledge and belief.

Date _____ Signature _____