



IRA TOWNSHIP

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Fair Haven, MI 48023

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APPLICATION FOR REZONING APPROVAL

Date: _____

Application No: _____

Review Fee: \$ _____

APPLICANT'S

NAME: _____ ADDRESS: _____

CITY: _____ ZIP: _____ PHONE: _____ EMAIL: _____

PROPERTY IDENTIFICATION NO: _____

COMPLETE LEGAL DESCRIPTION (Use opposite side or attach separately).

EXISTING ZONING: _____ PROPOSED ZONING: _____ SIZE (in Acres): _____

PROPOSED USE OF PROPERTY: _____

LEGAL OWNER: _____

Name

Address

Phone

If petitioner is not the owner, state basis for representative (i.e., Attorney, Representative, Option-to-Buy, etc.):

The applicant is required to submit a concept plan sketch, demonstrating the feasibility of developing the property for its intended use. The following information shall be required: 1) Parcel size and shape; 2) Size and general location of all buildings(s) to be included on site; 3) Access to the site and arrangement of the parking area; and 4) Location and use of adjacent buildings.

Thirteen (13) copies of the application and feasibility sketch (*all materials shall be folded to 8 ½ by 11*) shall be submitted to Zoning Administrator at least forty (40) days prior to a regular Planning Commission meeting. The Planning Commission will set a public hearing for the following meeting. The application or representative must be present at the public hearing. A recommendation may or may not be made at the meeting.

Any additional costs, incurred by the Township, above and beyond the original review fee, shall be paid by the applicant. All additional fees shall be paid prior to the issuance of any building permit.

The undersigned authorizes the members of the Planning Commission and any employees of the building department to enter upon the described premises to visually inspect the proposed site before and after any hearing scheduled for this application.

Signature of Applicant

Signature of Legal Owner (if not Applicant)

(Please print/type name below signature)

(Please print/type name below signature)

IRA TOWNSHIP REZONING PROCEDURES FOR PROPERTY

APPLICATION PROCESS FOR REZONING OF PROPERTY

The applicant obtains the necessary application forms from the Township.

The applicant returns thirteen (13) copies of the completed application and sketch plan, a PDF copy of all forms and plans, and the application fee. The sketch plan is provided for the purpose of ascertaining feasibility and developing the site for its intended purpose and to convey to the Planning Commission the intent and purpose of the request. Review of this preliminary plan does not constitute site plan review.

DISTRIBUTION OF THE APPLICATION

Copies of the application, sketch plan and any other supporting material shall be submitted to the following:

- Twp. Clerk & Supervisor
- Township Planner
- Township Engineer
- Township Attorney
- Planning Commission
- Building Department
- Twp. Fire Department
- Water and Sewer Departments
- Other applicable Township Dept.
Or County agencies, as appropriate

The applicant will be placed on the next applicable Planning Commission agenda, at which time the Commission will discuss the request and establish a public hearing date. The Commission will hear the applicant's proposal and review the Rezoning Procedures with the applicant. The Commission may also question the impact of the proposal on adjacent land uses, the neighborhood, and the Township's Master Plan.

NOTICE REQUIREMENTS

After the public hearing is scheduled by the Commission, the Township shall prepare a notice to comply with the requirements of the Zoning Enabling Act 110 of 2006. The publication shall include the legal description and the land proposed for rezoning, the existing and proposed zoning and graphic illustration of the location of the land. Such notice shall be published not less than fifteen (15) days prior to date set for public hearing.

Copies of the notice of public hearing shall be distributed to the following prior to the hearing:

1. Each public utility company that has registered its name and mailing with the Township for the purpose of receiving the notice.
2. If an individual property or several properties are being considered for rezoning, notice by mail or by personal delivery shall be given to:
 - a. The owner of the property in question, and the petitioner or representative (if not the owner).

- b. The owners of all parcels disclosed by the current tax roles, within three hundred (300) feet of the proposed rezoning; and
 - c. The occupants of all single and two-family dwellings within three hundred (300) feet. (the term occupant may be used.)
3. All interested Township and County offices and agencies (where necessary).
 - a. Township Clerk for the Board
 - b. Planning Commission file
 - c. Township Attorney, Planning Consultant and Engineer Consultant
 - d. Superintendent of Schools, (district affected); and
 - e. County Road Commission
4. At least one (1) copy of the notice of public hearing shall be forwarded to the petitioner (or his representative).

Consultants and department heads shall prepare their written review and submit same to the Planning Commission prior to the public hearing.

PLANNING COMMISSION CONSIDERATION

The Planning Commission shall conduct a public hearing on the rezoning request at the date scheduled according to the format prescribed in their Bylaws and Rules of Procedure. The Commission may declare that the public hearing may be tabled or continued to a specified date where there are additional public comments or where additional information is needed. The Commission may also close the formal public hearing and take action at a future Commission meeting.

The Planning Commission, after review and determination of findings of fact, shall have a roll call vote on their recommendation to the Township Board. The Commission shall send a copy of all correspondence, a summary or the minutes of the meeting, the findings of fact, and their recommendation to the Township Board.

COUNTY PLANNING COMMISSION REVIEW

Following the public hearing and prior to consideration by the Township Board, the Application for Rezoning shall be submitted to the St. Clair County Metropolitan Planning Commission for their review and recommendation, as per the requirements of Section 10 of the Township Rural Zoning Act. The County Planning Commission has thirty (30) days to consider rezoning requests.

TOWNSHIP ATTORNEY

Prior to consideration by the Township Board, the rezoning request shall be submitted to the Township Attorney for drafting of proposed ordinance and publication format.

TOWNSHIP BOARD ACTION

Recommendations from the Ira Township Planning Commission and the St. Clair County Metropolitan Planning Commission will be forwarded to the Ira Township Board. The Township Board has the sole power to approve or disapprove any amendments to the Zoning Ordinance text or map. All amendments shall be placed in ordinance format by the Township Attorney prior to their enactment.

If the zoning amendment is adopted by the Township Board, it shall be published in the newspaper. In the case of an amendment to an existing Zoning Ordinance, either the entire text or a summary of the regulatory effect of the amendment shall be published within 15 days of adoption. The publication shall include the effective date of the ordinance and the place and time where a copy of the Ordinance may be purchased or inspected.

There is a statutory provision for a referendum on the adopted Zoning Ordinance. The first step is to file a letter of intent to file a referendum which must be filed within seven (7) days of the publication of adoption. If a notice of intent is filed, the Ordinance becomes valid on the 8th day after publication or at such later date as specified by the Township Board. If a notice of intent is filed, but the petition is never filed with the Clerk or is determined to be invalid, the Ordinance becomes effective the 31st day after publication. If a notice of intent is filed and the petition is filed and determined to be valid by the Clerk, the Township Board then schedules an election to determine the outcome. Petitions filed with the Township Clerk must bear the signatures of qualified and registered voters of not less than then (10) percent of the total vote cast for Governor at the last preceding general election.

After adoption, a copy of the Ordinance shall be posted in the minutes and the Township Ordinance Book.