

Charter Township of Clinton Special Land Use Procedures

An APPLICATION FOR SPECIAL LAND USE APPROVAL AND CERTIFICATE FOR SITE DEVELOPMENT is required to obtain a Certificate for Site Development prior to issue of permits for new construction, reconstruction and new occupancy of an existing building on land with any use requiring special approval.

The Charter Township of Clinton requires that land be properly zoned for any proposed development, use or occupancy permitted under special approval. If the existing zoning of the land does not permit the new construction, reconstruction or new occupancy of an existing building in the zoning district in which the land lies, under certain requirements and conditions subject to special approval, proper zoning shall first be affected under separate APPLICATION TO AMEND THE MAP OF THE PLANNING AND ZONING CODE. An APPLICATION FOR SPECIAL LAND USE APPROVAL AND CERTIFICATE FOR SITE DEVELOPMENT will not be accepted unless the land is properly zoned.

Thorough understanding by the applicant of all procedures and requirements can be crucial in minimizing costs and delays. The applicant is encouraged to contact the Clinton Township Department of Planning and Community Development prior to filing this application. Discussion of the proposal with a Staff Planner can be an invaluable means to identify and eliminate potential problems.

Information regarding special land use approval and preparation of a site development plan also is contained in the PLANNING AND ZONING CODE OF THE CHARTER TOWNSHIP OF CLINTON (ORDINANCE NO. 260), as amended.

APPLICATION

This Application for Special Land Use Approval and Certificate for Site Development shall be filed with the Clinton Township Department of Planning and Community Development. It is suggested that the applicant file the application in person rather than by mail.

Refusal or failure by an applicant to comply with the following procedures shall constitute sufficient grounds to withhold an application from processing.

The following forms, documents and data shall be the minimum required to file this application. All forms shall contain original signatures notarized as required.

1. One (1) copy of the "APPLICATION FOR SPECIAL LAND USE APPROVAL AND CERTIFICATE FOR SITE DEVELOPMENT" form
2. One (1) copy of the "AFFIDAVIT OF OWNERSHIP OF LAND IN THE CHARTER TOWNSHIP OF CLINTON" form

3. One (1) copy of the Township RECEIPT for fee payment
4. One (1) copy of the LEGAL DESCRIPTION of the land
5. Two (2) copies of a FLOOR PLAN
6. Two (2) copies of a BUILDING ELEVATIONS PLAN
7. Two (2) copies of a LANDSCAPE PLAN
8. Eleven (11) copies of the SITE DEVELOPMENT PLAN (Note: If the development fronts Gratiot or Groesbeck, we will require fourteen (14) copies; if the development fronts Hall Road (M-59), we will require seventeen (17) copies).
9. Two (2) copies each of any OTHER SUPPORTING DATA
If the applicant is not certain that all the data is accurate to complete the application, such spaces on the form should be left blank and the Staff of the Department of Planning and Community Development will assist the applicant in obtaining the correct information.

APPLICANT INFORMATION

The applicant generally is the individual who will attend meetings of the Clinton Township Planning Commission and the Clinton Township Board and to whom all pertinent correspondence will be addressed.

The applicant may choose to designate a representative. A representative typically serves the interests of the applicant in a technical capacity such as that of project architect, engineer or building contractor. A business partner, attorney or real estate broker may represent the applicant.

The representative shall be empowered to speak and correspond on behalf of the applicant and will receive duplicate correspondence.

The applicant and/or designated representative must be present at each meeting of any commission or board when consideration of the special land use and site development plan is made.

LAND INFORMATION

Much of the information required to complete this section of the application can be obtained from the property deed or land contract, the latest tax bill or a land survey.

PROJECT INFORMATION

The Charter Township of Clinton requires that land be properly zoned for any proposed development, use or occupancy. If the existing zoning of the land does not permit the development, use or occupancy of the site as proposed, proper zoning shall first be affected under separate APPLICATION TO AMEND THE MAP OF THE PLANNING

AND ZONING CODE. An Application for Special Land Use Approval and Certificate for Site Development will not be accepted unless the land is properly zoned.

The name of the proposed development shall be identified.

The proposed use of the land shall be identified.

AFFIDAVIT OF OWNERSHIP

The Affidavit of Ownership of Land in the Charter Township of Clinton is required to identify the titleholder to the land.

If the property is jointly or corporately owned, any one person having authority within a partnership to do so shall sign the affidavit. The separate signature of each owner/partner is not required.

FEE PAYMENT

A non-refundable filing fee, in check or money order made payable to the CLINTON TOWNSHIP TREASURER, shall be paid at the office of the Township Treasurer.

A fee is required in the amount of One Thousand Two Hundred (\$1,200.00) Dollars.

LEGAL DESCRIPTION

If the land is un-platted acreage or involves any part of a platted lot, the legal description of the land shall be written in metes and bounds contained in a survey which shall be certified by a licensed professional surveyor registered with the State of Michigan. The application will not be accepted without such certification.

The legal description and the seal of the licensed professional surveyor shall be incorporated onto the site development plan.

If the land is an undivided lot or lots within a platted subdivision, a certified land survey is not required.

FLOOR PLAN

The floor plan shall indicate the dimensions and uses of all interior spaces.

BUILDING ELEVATIONS PLAN

The building elevations plan shall indicate the maximum height of all structures and the general architectural design of all facets of each structure.

LANDSCAPE PLAN

The landscape plan shall indicate the species, location and height of all proposed plant materials.

Information regarding preparation of a landscape plan is contained in the PLANNING AND ZONING CODE OF THE CHARTER TOWNSHIP OF CLINTON. The applicant

is advised to assure that the preparer of the landscape plan uses the most current issue of the PLANNING AND ZONING CODE, as amended.

SITE DEVELOPMENT PLAN

The site development plan shall provide an overview of the development proposed for the site, the site relation to adjacent lands and public rights-of-way, the location and dimensions of all existing structures, proposed structures, parking areas, maneuvering lanes, approach drives, sidewalks, walls, fences and other salient features.

The site development plan shall be drawn in accord with and shall contain all requirements as cited in the provisions of the PLANNING AND ZONING CODE OF THE CHARTER TOWNSHIP OF CLINTON chapter relevant to Site Plan Review (All Districts).

OTHER SUPPORTING DATA

Other supporting data may consist of any additional drawing, document, written statement, evidence, engineering data or information in sufficient detail to convey the feasibility and reasonableness of the development.

PROCESS

The processing of this application will take a minimum of from fifteen (15) to eighteen (18) weeks from the date on which you file this application to the issuance of a Certificate for Site Development. This period will include a public hearing with the Clinton Township Planning Commission for their review and recommendation on the proposed special land use and the accompanying site development plan. This period will also include a meeting with the Clinton Township for their determination on the proposed special land use and the accompanying site development plan.

All plans submitted with this application shall be prepared by a professional engineer or professional architect or professional landscape architect or professional community planner, all of which shall be licensed and/or registered with the State of Michigan, and shall be drawn in accord with the requirements of the most current issue PLANNING AND ZONING CODE OF THE CHARTER TOWNSHIP OF CLINTON, as amended.

The applicant is advised to assure that the preparer of the site development plan uses the most current issue of the Planning and Zoning Code, as amended.

The application process involves a series of submittals of copies of the site development plan and includes a public hearing by the Clinton Township Planning Commission. It is recommended that not more copies of the plan or supporting data than the required number be submitted at any time during the process. The applicant will be advised when to provide additional copies of the plan or any other data.

The first filing of site development plans will be the issue as submitted with this application.

The application, site development plan and applicable supporting data will be issued by the Township Department of Planning and Community Development to various agencies for general review and comment.

Some reviewing agents may advise you directly of their required changes to the site development plan. It is suggested that individual changes not be made to the plan based upon the directive of an independent reviewing agent. The Staff Planner assigned to analyze the proposal will advise the applicant and representative of all revisions which will be required.

A site development plan shall comply with all Township ordinance and code and reviewing agent requirements prior to placement on a Planning Commission agenda. If features of the property, not within the control of the applicant and not in contradiction to the restrictions permitting any special land use, present practical difficulty or unnecessary hardship in the ability to meet the requirements of the Planning and Zoning Code, a separate Application for Hearing by the Clinton Township Board of Appeals may be filed. The appeal process will add six (6) to eight (8) weeks to the process.

A self-imposed difficulty or hardship is not an acceptable claim under the intent of the Application for Hearing by the Clinton Township Board of Appeals.

The second filing of site development plans shall be of such issue as has been determined in accord with all Township ordinance requirements.

A date for the required public hearing on the proposed special land use and accompanying site development plan will be determined at a regular meeting of the Planning Commission.

The date of the public hearing which is scheduled by the Planning Commission will be advised to the applicant and/or representative.

The Charter Township of Clinton will cause publication, in a newspaper of record, of the Notice of Public Hearing for Special Land Use Approval.

The Charter Township of Clinton will issue notice of the public hearing to persons shown on the latest tax roll as owners of land and to occupants of each unit of all structures located within three hundred (300) feet of all boundaries of the land and including the land proposed for special land use and site development.

The site development plan and applicable supporting data will be issued by the Township Department of Planning and Community Development to the Clinton Township Planning Commission for review and recommendation coordinate with their consideration of the request for special land use at the public hearing.

The applicant and/or designated representative must be present at each meeting of any commission or board when consideration of the special land use and accompanying site development plan is made.

The third filing of site development plans, including landscape plans, will be subsequent to the public hearing and shall be of such issue upon which the Clinton Township Planning Commission has based their recommendation on the request for special land use and their recommendation on the accompanying site development plan.

The request for special land use, site development plan and landscape plan will be issued by the Township Department of Planning and Community Development to the Clinton Township Board for their determination.

The approval of the special land use shall lie with the land. However, any subsequent actions relating to the activity as authorized shall be in compliance with the approved site development plan and accompanying landscape plan.

The site development plan and landscape plan approved by the Clinton Township Board shall become part of the record of Township Board approval of the special land use and any conditions which may be imposed upon the site development plan and/or landscape plan shall remain unchanged, except such changes as conform to the Planning and Zoning Code of the Charter Township of Clinton, as amended, and which receive the mutual consent of the Clinton Township Board and the landowner.

The Certificate for Site Development will be issued by the Township Department of Planning and Community Development after receipt of notice of approval of the special land use, site development plan and landscape plan by the Clinton Township Board.

The Certificate for Site Development is valid for a period of eighteen (18) months from the date of approval by the Clinton Township Board of the special land use, the site development plan and landscape plan, during which time a Building Permit to proceed with the development of the land shall be obtained.

If a Building Permit is not obtained during the valid period of the Certificate for Site Development and the applicant desires to proceed with the development, a new Application for Special Land Use Approval shall be filed.

Any revision to an approved site development plan or an approved landscape plan shall require an APPLICATION FOR REVISED CERTIFICATE FOR SITE DEVELOPMENT.

The applicant may consult with the Clinton Township Department of Planning and Community Development for information and to obtain the appropriate application.

The applicant may consult with the Clinton Township Department of Building for information regarding Building Permit applications, fees and procedures.