

Please note: You are being provided with an application from the Planning Department. Please be aware of Ordinance #390, which prohibits us from processing any applications if there are any outstanding overdue payments to the Township (see below).

202.09 APPROVAL DISALLOWED FOR NON PAYMENT.

(a) *The Township shall not approve any license, permit, variance, rezoning requests or take any other municipal action of approval unless the person or entity so requesting and any affiliated entities do not have any outstanding overdue payments to the Township.*

(b) *Overdue payments defined. Over due payments shall mean monies whether disputed or otherwise which are determined by the Township to be over due and owing including by way of illustration only real and personal property taxes, jeopardy assessments, permit fees, charges, contract balances, required deposits, required bonds, inspection fees or any other outstanding financial obligation. A payment will not be considered having been made, if made by check or other instrument until the payment is cleared after negotiation from the instrument of payment by the Township.*

(c) *Township defined. The term Township shall mean the Township, Zoning Board of Appeals, Planning Commission, Police, Fire, Civil Service Commission, General Civil Service Commission, all committees, commissions, boards, departments and employees.*

(d) *Appeal. A person aggrieved by a determination pursuant to this provision may appeal by furnishing within seven days an appeal in writing to the Treasurer's office. The non payment Appeal Board consisting of the Treasurer, Clerk and Supervisor, or each of their designees, shall make a determination on such appeal as to whether an issue of non payment exists within forty-five days after receipt of such materials or any hearing, if requested by the person aggrieved.*

(Ord. 390. Passed 12-14-09.)

**CHARTER TOWNSHIP OF CLINTON
MACOMB COUNTY, MICHIGAN**

**APPLICATION
TO
AMEND THE MAP
OF THE
PLANNING AND ZONING CODE**

**SUMMARY
FOR
APPLICANT**

It is recommended that the applicant read the entire Summary and Application prior to filing.

An APPLICATION TO AMEND THE MAP OF THE PLANNING AND ZONING CODE is required to submit request to the Charter Township of Clinton to enact new legislation to be applicable to the general public.

The Charter Township of Clinton requires that land be properly zoned for any proposed development by new construction or reconstruction, for any use of land and or any new occupancy of an existing building.

An APPLICATION TO AMEND THE MAP OF THE PLANNING AND ZONING CODE shall not be construed as permission to proceed with any development or to establish any use or to occupy any existing building on any land not properly zoned for the proposed development, use or occupancy.

It is the policy of the Clinton Township Planning Commission to make recommendation to the Clinton Township Board to deny an application which, in the opinion of the Planning Commission, is not consistent with the Master Plan for the Charter Township of Clinton.

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 zoning districts, uses and applicable standards is contained in the PLANNING AND ZONING CODE OF THE CHARTER TOWNSHIP OF CLINTON (ORDINANCE NO. 260), as amended.

APPLICATION

This Application to Amend the Map of the Planning and Zoning Code shall be filed with the Clinton Township Department of Planning and Community Development. It is suggested that the applicant file this 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 TO AMEND THE MAP OF THE PLANNING AND ZONING CODE**" 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. One (1) copy of a **VICINITY SKETCH**
6. One (1) copy 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 the 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 request to amend the map of the Planning and Zoning Code 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 current use of the land shall be identified.

The existing zoning of the land shall be identified.

The proposed use of the land shall be identified.

The proposed zoning 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 unplatted 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 vicinity sketch.

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

VICINITY SKETCH

The vicinity sketch shall be a legible drawing showing the general location of the land identified by the legal description in relation to the nearest intersection of streets or U.S. Government Section Corners.

If the land is unplatted acreage or involves any part of a platted lot, the vicinity sketch shall be certified by a licensed professional surveyor registered with the State of Michigan. The application will not be accepted without such certification.

If the land is an undivided lot or lots within a platted subdivision, certification of the vicinity sketch is not required.

OTHER SUPPORTING DATA

Other supporting data may consist of any additional drawing, document, written statement, evidence, engineering data or information in sufficient detail to explain the basis for the proposed amendment to the map of the Planning and Zoning Code.

PROCESS

The processing of this application will take approximately 90 to 120 days from the date on which this application is filed to the effective date of an ordinance which may be adopted by the Clinton Township Board to amend the map of the Planning and Zoning Code of the Charter Township of Clinton.

A summary of sequential activity, which briefly describes the application process is shown on **APPENDIX A** attached to this application.

A date for the public hearing on the proposed amendment to the map of the Planning and Zoning Code will be determined by the Planning Department, dictated by required deadlines. The date of the public hearing will be advised to the applicant and/or representative.

The Township will arrange for one (1) publication, in a newspaper of record, of the Notice of Public Hearing to Amend the Map of the Planning and Zoning Code of the Charter Township of Clinton. This publication will take place no less than fifteen (15) days prior to the scheduled hearing.

The Township will issue notice of the public hearing to persons shown on the latest tax roll as owners of land and occupants of each unit of all structures located within three hundred (300) feet of all boundaries of the land and including the land as proposed for rezoning. The Township will also issue notice of the public hearing to each electric, gas, pipeline and telephone public utility company and each railroad operating within the Township.

The applicant and/or designated representative must be present at each meeting of any commission or board when consideration of the proposed amendment to the map of the Planning and Zoning Code is made.

At the public hearing, the Planning Commission shall consider all comments made at the hearing and make their recommendation on only the property identified in the application.

The recommendation on the requested amendment will be issued by the Township Department of Planning and Community Development to the Clinton Township Board for their determination.

Upon receipt of the recommendation by the Planning Commission, the Township Board may take any action permitted or authorized by ordinance and/or statute.

The adoption of an Ordinance to amend the map of the Planning and Zoning Code shall not be construed as permission to proceed with any development or to establish any use or to occupy any existing building on any land not properly zoned for the proposed development, use or occupancy until such adopted Ordinance shall become effective and other assurances to record are made.

The applicant may consult with the Department of Planning and Community Development for information and to obtain the appropriate application for proposed development, use or occupancy.

The applicant may consult with the Clinton Township Department of Building for information regarding Building Permit applications, fees and procedures relevant to proposed development, use or occupancy.

APPENDIX A

APPLICATION TO AMEND THE PLANNING AND ZONING CODE MAP: PROCESS SUMMARY

| <u>ACTION</u> | <u>TIME ESTIMATE</u> |
|---|--------------------------------------|
| The Department of Planning and Community Development will accept the application if it is verified complete and adequate. | 1 business day |
| The Planning Department will schedule a date for the public hearing and will advise the applicant and representative of the date of the public hearing. | 2 business days |
| The Department of Planning and Community Development prepares and publishes one (1) newspaper publication of notice of public hearing; not less than 15 days prior to the hearing. | |
| A Staff Planner reviews the application and the proposal to rezone land for compliance with the Planning and Zoning Code of the Charter Township of Clinton and the Master Plan for the Charter Township of Clinton and advises the Clinton Township Planning Commission of the findings. | |
| The Planning Department prepares a list of owners of land and the address of occupants of each structure within 300 feet of all boundaries and including the land under consideration. | |
| The Department of Planning and Community Development maintains a list of each electric, gas, pipeline and telephone public utility company and each railroad operating within the Township. | |
| The Department of Planning and Community Development mails the notice of the public hearing not less than fifteen (15) days prior to the hearing. | 30 business days |
| The Planning Commission may postpone a matter for further study. | As determined by Planning Commission |
| The Department of Planning and Community Development transmits, not less than 10 business days prior to the date of the Clinton Township Board meeting at which the matter is expected to be considered. | 10 business days |

APPENDIX A (Continued)

**APPLICATION TO AMEND THE PLANNING AND ZONING CODE MAP:
PROCESS SUMMARY (Continued)**

| <u>ACTION</u> | <u>TIME ESTIMATE</u> |
|--|----------------------|
| The Township Board meets at 6:30 p.m. on alternate Mondays (Check Clerk’s Office for exact dates). | |
| The Department of Planning and Community Development causes newspaper publication of an Ordinance, upon receipt of written verification of adoption by the Clinton Township Board of an amendment to the Planning and Zoning Code Map. | 15 calendar days |
| The Ordinance causing amendment to the Planning and Zoning Code generally is deemed effective 30 days after publication, unless otherwise stipulated by the Clinton Township Board. | 30 calendar days |

**CHARTER TOWNSHIP OF CLINTON
MACOMB COUNTY, MICHIGAN
APPLICATION FOR
AMENDMENT TO THE MAP OF THE
PLANNING AND ZONING CODE**

APPLICANT INFORMATION

APPLICANT

REPRESENTATIVE

NAME _____

FIRM _____

ADDRESS _____

CITY/STATE/ZIP _____

TELEPHONE Area Code _____ Area Code _____

EMAIL ADDRESS _____

LAND INFORMATION

SECTION # _____ PRIVATE CLAIM # _____ TOWNSHIP ASSESSOR PROPERTY ID #011-

#/ACRES _____ LOT # _____ SUBDIVISION LIBER _____ PAGES _____

GENERAL LOCATION

PROPERTY ADDRESS

CERTIFIED METES & BOUNDS LEGAL DESCRIPTION: ___/ ON SURVEY ___/ ON VICINITY SKETCH

PROJECT INFORMATION

EXISTING USE _____ EXISTING ZONING _____

PROPOSED USE _____ PROPOSED ZONING _____

The person/firm identified above who/which is designated as my representative is authorized to act on my behalf and is empowered to make commitments relevant to any matters concerning this Application.

APPLICANT SIGNATURE _____ DATE _____

FOR TOWNSHIP USE ONLY

RECEIVED BY _____ DATE _____ MICROFILE NO. _____Z-M

ACCEPTED BY _____ DATE _____

PUBLIC HEARING: DAY _____ DATE _____ TIME ____ PM PLACE _____

PUBLICATION: DAY _____ DATE _____ #/DAYS _____ [not less than fifteen (15) days prior to hearing]

NEWSPAPER OF RECORD: _____

Fapp-Rezoning (Revised 01/24/12)

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CHARTER TOWNSHIP OF CLINTON

I/WE, BEING DULY SWORN, DEPOSE AND SAY, THAT I/WE AM/ARE THE OWNER OF LAND IN THE CHARTER TOWNSHIP OF CLINTON BY REASON OF BEING ___/ RECORDED LAND CONTRACT PURCHASER ___/ RECORDED DEEDHOLDER

NAME _____

TITLE _____*

FIRM _____*

ADDRESS _____

CITY/STATE/ZIP _____

TELEPHONE Area Code _____

AND ACKNOWLEDGE THAT THIS LAND IS DESCRIBED IN A SUBMITTAL WHICH HAS BEEN OR WILL BE MADE TO THE CHARTER TOWNSHIP OF CLINTON, MACOMB COUNTY, MICHIGAN, IN AN

APPLICATION TO AMEND THE MAP OF THE PLANNING AND ZONING CODE

FURTHER, THAT ANY AGENT OR REPRESENTATIVE OF ANY STATE, COUNTY OR LOCAL PUBLIC AGENCY, FOR PURPOSE RELEVANT TO THIS APPLICATION, ___/ HAS PERMISSION ___/ DOES NOT HAVE PERMISSION TO ENTER UPON THE LAND DESCRIBED IN THIS APPLICATION.

FURTHER, THAT THE FOLLOWING PERSON IS DESIGNATED AS MY REPRESENTATIVE AND IS AUTHORIZED TO ACT ON MY BEHALF AND IS EMPOWERED TO MAKE COMMITMENTS RELEVANT TO ANY MATTERS CONCERNING THIS APPLICATION.

APPLICANT

NAME _____

FIRM _____*

ADDRESS _____

CITY/STATE/ZIP _____

TELEPHONE Area Code _____

FURTHER DEPONENT SAYS NOT.

OWNER SIGNATURE _____

OWNER SIGNATURE _____

*Leave blank if not applicable
STATE OF MICHIGAN)
COUNTY OF _____)

ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY CAME

TO ME PERSONALLY KNOWN TO BE THE INDIVIDUAL(S) NAMED IN AND WHO EXECUTED THE FOREGOING AFFIDAVIT FOR THE PURPOSE AS STATED AND ACKNOWLEDGED THAT _____ DID SO OF _____ OWN FREE WILL AND DEED.

NOTARY PUBLIC, _____ COUNTY, MICHIGAN
MY COMMISSION EXPIRES: _____

FOR TOWNSHIP USE ONLY

RECEIVED ON DATE _____

MICROFILE NO. _____Z-M