Amendment Review Application

WHITEWATER TOWNSHIP

5777 Vinton Road, PO Box 159
Williamsburg MI 49690
PH (231) 267-5141 Fax (231) 267-9020

Case No._____
Date Rec._____
Fee _____

Property Information

Parcel Number _____
Address_____
Zoning District_____ Acres_____Current Use_____

Property Owner Information

Name_____
Address_____
Phone_____Fax_____

Applicant Information

Name_____
Address_____
Phone_____Fax_____

Description of Proposed Use (Use reverse side or attach pages as needed)

_____
_____
_____
_____

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate.

_____ _____
Signature of Applicant Date

I hereby grant permission for members of the Whitewater Township Planning Commission and the Zoning Administrator to enter the above described property for the purposes of gathering information related the this application.

_____ _____
Signature of Property Owner Date

ARTICLE 21 - AMENDMENT

21.01 INTENT

It is the intent of this Article is to describe how this Ordinance may be changed, updated, or otherwise edited.

21.02 INITIATION OF AMENDMENTS

The Township Board may amend, supplement, or change the regulations or the district boundaries of this ordinance pursuant to the authority and according to the procedure set forth in Act 110 of the Public Acts of 2006 as amended. Text amendments may be proposed by the Township Board, Planning Commission, or any interested person or organization. Changes in zoning district boundaries may be proposed by the Township Board, Planning Commission, any person having a freehold interest in the premises concerned, or by the designated agent of a person having a freehold interest in the property.

21.03 PROCEDURES

A. **Application:** When an amendment is proposed by an interested person or organization, an application shall be filed with the Zoning Administrator on forms provided by the township and accompanied by the fees specified. The application shall describe the proposed amendment and shall be signed by the applicant. Applications for rezoning of a specific site shall be accompanied by a survey that specifies the boundaries and legal description of the site. The township may request additional information with the application.

B. **Public Hearing**. A public hearing shall be held for all proposed amendments in accordance with the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 as amended and summarized in writing filed with clerk and with applicable fees paid.

C. **Planning Commission Consideration of the Proposed Amendment.** The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this section, and shall report its findings and recommendation to the Township Board.

D. **Township Board Action on the Proposed Amendment**. Upon receipt of the report and recommendation from the planning commission, the Township Board may approve or deny the proposed amendment. If determined to be necessary, the Township Board may refer the amendment back to the Planning Commission for further consideration. In the case of an amendment to the official zoning map, the Township Board shall approve or deny the amendment based upon its consideration of the criteria contained in this section.

21.04 COST

Any party proposing or recommending a change in the zoning district regulations or zoning district boundaries shall be responsible for payment of all costs and expense incurred by the Township in considering said proposal or recommendation, including but not limited to costs of special meetings, legal fees, costs of notices and publications as follows:

A. Petitioner shall deposit with the Township Clerk the sum of Three Hundred ($300.00) Dollars toward payment of said costs.

B. The Township Board may require the petitioner to deposit such additional sums with the Township Clerk as it determines to be necessary to cover any additional costs beyond said deposit before it considers any proposal or recommendation.

C. In the event the amount of said costs incurred by the Township shall be less than the amount of funds deposited by the petitioner, the difference shall be refunded.

D. It shall be understood, that under no circumstances shall said sum or any part thereof be refunded

for failure of said change recommended or proposed by the petitioner to be adopted by the Township Board.

21.05 STANDARDS OF REVIEW FOR AMENDMENTS

In considering any petition for an amendment to the text of this ordinance or to the zoning map, the Planning Commission and Township Board shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and Township Board may also take into account other factors or considerations that are applicable to the application but are not listed below.

A. Consistency with the goals, policies and objectives of the township's master plan and any sub-area plans. If conditions have changed since the master plan was adopted, consistency with recent development trends in the area shall be considered.

B. Consistency with the basic intent and purpose of this Zoning Ordinance.

C. The capability of the road system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

D. The capacity of the township's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the township.

E. That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.

F. That the amendment will not be expected to result in exclusionary zoning.

G. If a rezoning is requested, compatibility of the site's physical, geological, hydrological, and other environmental features with the uses permitted in the proposed zoning district.

H. If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

21.06 NOTICE OF ADOPTION OF AMENDMENTS

Following adoption of an amendment by the Township Board, a notice of adoption shall be filed with the township clerk and 1 notice of adoption shall be published in a newspaper of general circulation in the township within 15 days after adoption in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006 as amended. A record of all amendments shall be maintained by the township clerk. A zoning map shall be maintained by the township clerk that identifies all map amendments.

21.07 REFERENDUM

Within 30 days following the passage of the Zoning Ordinance, a petition signed by a number of registered electors may be filed with the township clerk requesting submission of this ordinance or part of this ordinance to the electors for their approval in accordance with Section 402 of the Michigan Zoning Enabling Act, PA 110 of 2006 as amended.