



# Application for Special Land Use

5371 S Saginaw St. Grand Blanc, MI 48507 810-424-2791

Website: [www.grandblancwpmi.gov](http://www.grandblancwpmi.gov) Email: [PZ@grandblancwpmi.gov](mailto:PZ@grandblancwpmi.gov)

## I. APPLICANT

Applicant's Name \_\_\_\_\_  
Address \_\_\_\_\_  
City/Township \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Email \_\_\_\_\_

## II. PROPERTY INFORMATION

Property Address \_\_\_\_\_  
General Location \_\_\_\_\_  
Legal Description \_\_\_\_\_  ATTACHED  ON SITE PLAN  
Property ID Number \_\_\_\_\_  
Property size (acres & sq. ft.) \_\_\_\_\_ Frontage (feet) \_\_\_\_\_  
Existing Zoning \_\_\_\_\_ Zoning of Surrounding Property \_\_\_\_\_  
Proposed Use \_\_\_\_\_  
Size of Proposed Structure (s) (square feet) \_\_\_\_\_

## III. SITE PLAN INFORMATION

Site Plan Prepared By \_\_\_\_\_  
Contact Name \_\_\_\_\_  
Address \_\_\_\_\_  
City/Township \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Email \_\_\_\_\_

## IV. SIGNATURES

(This application form must be signed by both the applicant and legal owner of the property.)

The undersigned deposes that the foregoing statements and answers and accompanied information are true and correct.

SIGNATURE OF APPLICANT

SIGNATURE OF LEGAL OWNER

Print name of applicant

Print name and phone # of legal owner



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Application Requirements: Respond to the following standards from Section 6.3			Applicant Yes/No	Staff
1	Identify the proposed Special Land Use for the subject property.			
2	How is the Special Land Use consistent with the goals, objectives and future land use map, described in the Master Plan?			
3	How is the Special Land Use consistent with the stated intent of the zoning district?			
4	How will the Special Land Use be designed, constructed, operated and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity in consideration of environmental impact, views, aesthetics, noise, vibration, glare, air quality, drainage, traffic, property values, or similar impact?			
5	Will the Special Land Use be served adequately by public facilities and services such as sufficient roadway capacity, police and fire protection, drainage structures, water and sewage facilities and refuse disposal?			
6	Respond to the special land use standards associated with the proposed use as provided in the Zoning Ordinance (if applicable)			

of landscaping which provides a similar screening effect on a one-to-one or greater basis.

- D. Improvements to site access or circulation, such as deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
- E. Changes of building materials to another of higher quality, as determined by the Planning and Zoning Department.
- F. Changes in floor plans which do not alter the character of the use.
- G. Slight modification of sign placement or reduction of size.
- H. Changes required or requested by the Township, county, state or federal agency for safety reasons.
- I. Situations similar to the above.

**13. Property Maintenance After Approval.** It shall be the responsibility of the owner of a property for which final site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site plan approval was based, or until a new site design is approved. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

With respect to condominium projects, the Master Deed shall contain provisions describing the responsibilities of the condominium association, condominium owners, and public entities, with regard to maintenance of the property in accordance with the approved site plan on a continuing basis. The Master Deed shall further establish the means of permanent financing for required maintenance and improvement activities which are the responsibility of the condominium association. Failure to maintain an approved final site plan shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation (see also Section 6.4).

**14. Appeals of Final Site Plan.** Any person aggrieved by the decision of the Planning Commission or Township Board in granting or denial of a site plan approval shall have the right to appeal the decision to the Zoning Board of Appeals.

- A. The appeal shall be filed with the Township Clerk within five business days of the final

decision by the Planning Commission or Township Board. The appeal shall state the aggrieved parties' grounds for appeal.

- B. The filing of an appeal of a decision of the Planning Commission concerning a site plan shall act to stay any building permit issued for improvements on the property, which is the subject of the appeal.
- C. On hearing such appeal, the Zoning Board of Appeals shall review the record before the Planning Commission or Township Board and shall determine whether or not there was support on the record for the original decision. The appellant shall not have the right to present new evidence. The Zoning Board of Appeals shall approve the site plan if the requirements of this zoning ordinance, other applicable Township ordinances and applicable state and federal statutes are met, and prepare written findings on its decision on the appeal.
- D. An appeal of a Zoning Board of Appeals decision concerning a site plan shall be to the Circuit Court of Genesee County.

**15. Revocation.** Approval of a final site plan may be revoked by the Planning Commission if construction is not in conformance with the approved plans. In such case, the site plan shall be placed on the agenda of the Planning Commission for consideration and written notice shall be sent to the applicant at least ten (10) days prior to the meeting. The Planning and Zoning Administrator, Building Official, applicant and any other interested persons shall be given the opportunity to present information to the Planning Commission and answer questions. If the Planning Commission finds that a violation exists and has not been remedied prior to the hearing, then it shall revoke the approval of the final site plan.

Δ ZC #674g

### 6.3 SPECIAL LAND USES

1. **Intent.** This Section is intended to provide regulations for Special Land Uses as authorized under the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, (M.C.L. 125.3101 et seq.). Special Land Uses are those which may be compatible with uses in some, but not all, locations within a particular zoning district. The Special Land Use standards of this Section are intended to accomplish the following:

- A. Provide a mechanism for public input on decisions involving more intense land uses;
- B. Establish criteria for both new development and redevelopment consistent with the Township's land use goals and objectives as stated in the Township Master Plan;
- C. Regulate the use of land on the basis of impact to the Township overall, and adjacent properties in particular;
- D. Promote a planned and orderly development pattern which can be served by public facilities and service in a cost-effective manner;
- E. Ensure uses can be accommodated by the environmental capability of specific sites;
- F. Provide site design standards to diminish negative impacts of potentially conflicting land uses; and
- G. Provide greater flexibility to integrate land uses within the Township.

This Section provides general standards for all Special Land Uses and specific site or operational standards for particular Special Land Uses. The process for a Special Land Use involves a public hearing at the Planning Commission prior to their decision. Approval of any Special Land Use requires a Special Land Use Permit.

2. **Application, Review and Approval Procedures.** The procedure for Special Land Use review shall be as follows:
  - A. Submit completed application form to the Township Building Department for a Special Land Use and fee to cover administrative cost and review by consultants.
  - B. The application shall contain the following:
    - i. Name of proposed development;
    - ii. Common description of the property, complete legal description and address, if available;
    - iii. Dimensions of land including; width, length, acreage and frontage;
    - iv. Existing zoning classification and zoning of all adjacent properties;
    - v. Proposed use of land;
    - vi. Name, address, and phone number of:
      - a. firm or individual who prepared the application,
      - b. legal owner of the property,

- c. applicant (including basis of representation);
- vii. Signature of the legal owner and the applicant;
- viii. A site plan, prepared in accordance with the provisions of Section 6.2 of this Ordinance; and
- ix. Copies of an impact assessment (see Section 6.5) or traffic impact study (see Section 6.6) if required herein or determined to be necessary by the Planning Commission to adequately evaluate the appropriateness of a use at a given location.

- C. The Building Department shall give notice of a proposed Special Land Use in a newspaper of general circulation in the township and to all property owners and occupants of any structure within three hundred (300) feet of the property being considered for the Special Land Use. The notice shall be given not less than five (5) nor more than fifteen (15) days before the public hearing date, in accordance with the Township Rural Zoning Act (P.A. 184 of 1943, as amended). The notice shall state the nature of the special land uses, the property location, when and where the Special Land Use request will be considered, state where written comments will be received and the date, time and place of the public hearing.
- D. The Planning Commission shall conduct the required public hearing.
- E. The Planning Commission shall review the application for compliance with the requirements of the Special Land Use General (Section 6.3.3) and any Specific Standards of this Section (Section 3.1.19.H).
- F. The Planning Commission shall either approve, approve with conditions (as described below in Section 3.1.19.E) or deny the Special Land Use. The decision on a Special Land Use shall be incorporated in a statement of findings and conclusions relative to the Special Land Use which specifies the basis for the decision and any conditions imposed. For Special Land Uses which are temporary in nature, such as carnivals, the Planning Commission shall specify an expiration date for the permit.

- G. The Planning Commission may approve the site plan as submitted or with conditions, or the Planning Commission may refer the site plan to the Site Plan Review Committee for final action, as described in Section 6.2.
- H. Upon approval of an application for a Special Land Use permit, the Building Department shall issue the permit. The Building Department shall be responsible for ensuring any conditions attached to the approval of the Special Land Use permit are implemented.

3. **General Review Standards for All Special Land Uses.** Prior to approving a Special Land Use application, the Planning Commission shall require the following general standards to be satisfied for the use at the proposed location. In addition to specific standards for Individual Special Land Uses listed in Article 4, the Planning Commission shall determine if all of the following are met:

- A. The Special Land Use will be consistent with the goals, objectives and future land use map described in the Master Plan.
- B. The Special Land Use will be consistent with the stated intent of the zoning district.
- C. The Special Land Use will be designed, constructed, operated and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity in consideration of environmental impacts, views, aesthetics, noise, vibration, glare, air quality, drainage, traffic, property values or similar impacts.
- D. The Special Land Use can be served adequately by public facilities and services such as sufficient roadway capacity, police and fire protection, drainage structures, water and sewage facilities and refuse disposal.

4. **Conditions of Approval**

- A. Prior to granting any Special Land Use permit, the Planning Commission may impose any additional conditions or limitations deemed necessary for protection of the public health, safety and welfare. Such conditions shall ensure compliance with the standards in this zoning ordinance, other township ordinances and applicable state or federal regulations.
- B. Approval of a Special Land Use, including conditions made part of the approval, shall run with the property described in the application and not to the owner of such property.
- C. A record of conditions imposed shall be made a part of the Planning Commission minutes and maintained by the Building Department. The conditions shall remain unchanged unless an amendment to the Special Land Use permit is approved by the body which approved the original Special Land Use permit.
- D. The Building Department shall make periodic investigations of developments authorized by Special Land Use permit to determine continued compliance with all requirements imposed by the Planning Commission and this Ordinance. Non-compliance with the requirements and conditions approved for the Special Land Use shall constitute grounds to terminate as described in Section 6.3.7, Revocation.

5. **Validity of Permit**

- A. Where actual physical construction of a substantial nature of structures authorized by a Special Land Use permit has not commenced within one (1) year of issuance, and a written application for extension of the approval has not been filed as provided below, the permit shall become null and void and all rights thereunder shall terminate. (note: It is the responsibility of the applicant to request such an extension.)
- B. Upon written application, by the original or successor developer, filed prior to the termination of the one (1) year period as provided above, the Planning Commission may authorize a single extension of the time limit for a further period of not more than one (1) year. Such extension shall be granted only based on evidence from the applicant that the development has a reasonable likelihood of to commence construction during the one (1) year extension period.
- C. Any Special Land Use which was approved or which existed prior to the effective date of this Ordinance shall be deemed a use permitted in the district in which it is located and is not to be considered a non-conforming use.

**1** Purpose and Introduction

**2** Definitions

**3** Zoning Districts

**4** Use Standards

**5** Site Standards

**6** Development Procedures

**7** Admin and Enforcement



D. Any use for which a Special Land Use permit has been granted and which ceases to continuously operate for one (1) year period shall be considered abandoned, and the Special Land Use permit shall become null and void.

6. **Special Land Use Permits—Amendments, Expansions, Resubmittals.**

A. **Amendments.** Any person or agency who has been granted a Special Land Use permit shall notify the Planning and Zoning Department of any proposed amendment to the approved site plan of the Special Land Use permit. The Planning and Zoning Department shall determine whether the proposed amendment constitutes a minor or major amendment based on the determination standards for site plans, as described in Section 6.2. A major amendment to a Special Land Use permit shall comply with the application and review procedures contained in this Section.

B. **Expansions or change in use.** The expansion, change in activity, reuse or redevelopment of any use requiring a Special Land Use Permit shall require resubmittal in the manner described in this Section. A separate Special Land Use Permit shall be required for each use requiring Special Land Use review on a lot, or for any expansions of a special land use which has not previously received a Special Land Use Permit.

C. **Restrictions on resubmittal of a special land use request.** No application for a Special Land Use permit which has been denied wholly or in part shall be resubmitted for a period of one (1) year from the date of denial, except on the grounds of new evidence or proof of changed conditions relating to all of the reasons noted for the denial found to be valid by the Planning Commission. A resubmitted application shall be considered a new application.

7. **Revocation.** Revocation of a Special Land Use may occur if its recipient fails to continuously abide by its terms and conditions.

A. The revocation procedure is as follows:

- The Planning Commission through its designated administrators, shall notify the recipient in writing of any violations of Township codes or provisions of the Special Land Use.
- The recipient shall have thirty (30) days to correct all deficiencies to the satisfaction of the Planning Commission, or its designated administrators.
- If after thirty (30) days any deficiencies remain, the Planning Commission shall conduct a public hearing following the same notification procedures in Section 6.3.2. Following the public hearing, the Planning Commission may then revoke the Special Land Use, or if the conditions warrant, allow a specified amount of additional time for the use to be brought into compliance.

B. A repeat violation shall be grounds for immediate revocation of the Special Land Use by the Planning Commission following a public hearing.

C. The Building Department has the authority to issue a cease and desist order, until such time as a public hearing can be conducted, upon finding that the violation constitutes a serious threat to public health, safety, and welfare.

Δ Ord. No. 674 (April 19, 2022)

#### 6.4 MAINTENANCE OF COMMONLY-OWNED PRIVATE FACILITIES

The purpose of this Section is to insure the quality, construction, maintenance and replacement of commonly owned private facilities and land whether improved or unimproved. These facilities include, but are not limited to detention ponds, retention basins, lighting, open space, wetlands, signs, landscaping, fences, screen walls, drains, trails and sidewalks to which more than two owners of lots or condominiums have rights of use or access or enjoyment; or which are owned in common by an association of owners. Prior to approving such commonly owned private facilities, the applicable township approving body shall approve legal documents which assure the continuing maintenance and periodic replacement of any commonly-owned private facilities.

The documents shall address the items listed below:

1. Define what is owned and by whom, including the specific location and parameters of the individual units and the ownership interest in the commonly owned private facilities of owners or an association;