

SPECIAL LAND USE APPLICATION PROCEDURE

Application for Special Use Permit approval shall be made by filing at least eleven (11) paper copies and two (2) digital copies (in .PDF format) of a complete and accurate application and any associated site plan materials.

Please note that a separate application for site plan approval will also be required for all special uses subject to the requirements of Section 17.02 (Site Plan Approval Required).

NOTE: A refundable escrow deposit of \$750.00 shall be required at the time of application, in addition to the non-refundable \$350.00 application review fee.

Professional inquiries will be made to our Township Planning Consultant and Township Attorney to get their opinions on the compatibility of your application to our zoning regulations, standards for Special Use approval, and the Master Plan. The cost of these inquiries will be reimbursed to the Township as deductions from your refundable escrow deposit. The Township may require the escrow deposit to be replenished if the funds become depleted prior to the completion of the review process.

If you would like a copy of these reports please ASK. Sometimes these reports are not available until a day or two before the public meeting or hearing where your item will be on the agenda.

The public hearing will be held by the Planning Commission.

The Planning Commission may approve, deny or approve the Special Use Permit subject to conditions. Upon approval, the special use shall be deemed a conforming use permitted in the district in which it is proposed, subject to site plan approval and any conditions imposed on the use.

Frankenlust Township
SPECIAL LAND USE APPLICATION
\$350.00, PLUS the escrow deposit

Dated Applied _____

SLU _____

This Application will not be accepted if incomplete. Required materials should be submitted at least 30 calendar days prior to the next regular Planning Commission meeting date.

LEGAL OWNER:

APPLICANT: (If different than owner)

Name: _____

Name: _____

Address: _____

Address: _____

Phone: _____

Phone: _____

Email: _____

Email: _____

Address or Location: _____

Permanent Parcel #: _____

Zone District (Current): _____

Property Size: _____

Legal Description (If more space is needed, use reverse side): _____

REASON FOR THE REQUEST: Please attach a letter of explanation for the request and a summary of the facts and reasons why you believe it is consistent with the appropriate review criteria found in the Zoning Ordinance, along with a minor site plan or preliminary site plan as applicable.

*** I/WE HAVE BEEN GIVEN THE PROCEDURE COVER SHEET AND AGREE TO PAY FOR ANY & ALL ADDITIONAL FEES THAT MAY ACCUMULATE OVER THE INITIAL DEPOSIT COST. I/WE ALSO HEREBY ATTEST THAT THE INFORMATION ON THIS APPLICATION FORM IS, TO THE BEST OF MY/OUR KNOWLEDGE, TRUE AND ACCURATE.**

Date Received:

(Legal Owner) *Printed Name*

(Legal Owner) *Signature*

Application Fee \$: _____

Application Check #: _____

(Applicant) *Printed Name*

Escrow Fee \$: _____

Escrow Check #: _____

(Applicant) *Signature*

DEE ANN LAPAN, CLERK

Note: The Township Board has established a fee schedule by resolution to defray fixed costs and expenses incurred by the Township to perform functions required under Zoning Ordinance No. 79. The provisions of Section 2.07 (Fees and Performance Guarantees) of the Zoning Ordinance shall apply to the use and disposition of non-refundable review fees and refundable escrow deposits required for this application. If granted, a Special Use Permit runs with the land unless rescinded by the Planning Commission. See Article 18.0 (Special Land Uses) in Zoning Ordinance No. 79 for more details.

Office Use Only

Zoning Administrator Date: ____/____/____

Action: _____

Planning Consultant Date: ____/____/____

Action: _____

Planning Commission Date: ____/____/____

Action: _____

Board of Trustees Date: ____/____/____

Action: _____

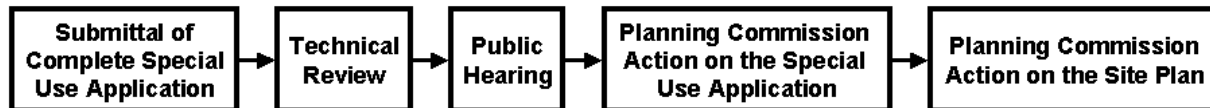
ARTICLE 18.0

SPECIAL LAND USES

(excerpts)

Section 18.03 Special Use Review Procedure.

All special use permit applications shall be submitted and reviewed as follows:



Special Use Review Process

A. Eligibility.

The application shall be submitted by the operator of the use or owner of an interest in the land or structure(s) for which special use permit approval is sought, or by the owner's designated agent. If the applicant is not the owner of the property, the applicant shall submit a notarized statement signed by the owner(s) consenting to the application for special use approval. Applications that are found by the Township Planner or Planning Commission to be incomplete or inaccurate shall be returned to the applicant without further consideration.

B. Required Fees and Escrow Deposits.

The Township Board shall establish, by resolution, fees and escrow deposits for review of special use permit applications. Required fees and escrow deposits shall be paid to the Township at the time of the filing of the application. No fee or escrow deposit shall be required for a special use permit application submitted by the Township.

C. Filing of Application.

A special use permit request shall be made by filing at least eleven (11) paper copies and two (2) digital copies (in a format compatible with Township systems) of a complete and accurate application with the Township Clerk, along with the required review fee and escrow deposit. The application shall include the following information:

1. Name, address, and other contact information for the applicant and owners of record, along with proof of ownership.
2. The applicant's interest in the property, and if the applicant is not the property owner of record, a signed authorization of the owner(s) for the application.
3. Legal description, address, and tax parcel number of the property.
4. A scaled and accurate survey drawing, correlated with the legal description and showing all existing buildings, drives and other improvements.
5. A detailed description of the proposed use.
6. A site plan meeting the requirements of Article 17.0 (Site Plan Review).

Section 18.05 Standards for Special Use Approval.

Approval of a special use shall be based upon the determination that the proposed use complies with all applicable requirements of this Ordinance, and all of the following standards as deemed applicable to the use by the Planning Commission:

1. **Compatibility with adjacent uses.** The special use is compatible with adjacent uses and the existing or intended character of the zoning district and area. The use will not be detrimental, hazardous or disturbing to existing or future neighboring uses, persons, property or the public welfare.
2. **Compatibility with the Master Plan.** The special use location and character is consistent with the general principles, goals, objectives, and policies of the adopted Master Plan.
3. **Compliance with applicable regulations.** The proposed special use is in compliance with all applicable Ordinance provisions.
4. **Impact upon public and utility services.** The impact of the special use upon public services will not exceed the existing or planned capacity of such services; including utilities, roads, police and fire protection services, area drinking water wells, and drainage structures. The proposed use will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.
5. **Environmental and public health, safety, welfare impacts.** The location, design, activities, processes, materials, equipment, and operational conditions of the special use will not be detrimental or injurious to the environment or the public health, safety, and welfare by reason of traffic, noise, vibration, smoke, fumes, odors, dust, glare, light, drainage, pollution or other adverse impacts.
6. **A documented need exists for the proposed use.** A documented need exists for the proposed use within the community.
7. **Isolation of existing uses.** Approval of the special use location will not result in a small residential or non-residential area being substantially surrounded by incompatible uses.

Section 18.06 Compliance with Special Land Use Approval.

It shall be the responsibility of the property owner and operator of the use for which special use permit approval has been granted to develop, operate, and maintain the use, including the site, structures and all site elements, in accordance with the provisions of this Ordinance and all conditions of approval until the use is discontinued. Failure to comply with Ordinance requirements or conditions of approval shall be considered a violation of this Ordinance and may be punished in accordance with the provisions of Section 2.09 (Violations and Penalties); and shall constitute grounds for rescinding special land use permit approval in accordance with Section 18.09 (Rescinding Special Land Use Approval).

The Zoning Administrator, Township Planner or other Township designee may make periodic investigations of developments for which a special land use permit has been approved.