SOO TOWNSHIP PLANNING COMMISSION

Application for Special Land Use

1. **Location of property:** _____
   (physical address & legal description)
2. **Name of property owner:** _____
3. **Zoning District:** _____
4. **Reason for this request:** _____
   _____
   _____
   _____

See attached requirements for Special Use Permits.

Fees:

A $300 fee is assessed for a rezoning request or a Special Land Use request. This fee is to cover publication in the local newspaper and notification of adjacent property owners as required by the State of Michigan. These notifications must be made at least 15 days prior to the requested meeting.

A $600 fee is assessed if a special meeting of the Planning Commission is requested by the property owner. This fee covers the cost of calling a special meeting of the Planning Commission members and the publication requirement.

All fees must be paid in full to Soo Township prior to the review of request.

Submission of Application:

This application, fees and associated documents must be received by the Planning Commission Chairman or Township Permit Administrator. Contact Soo Township Hall at 906-632-3406 for contact information

The Soo Township Planning Commission meets the 1st Tuesday of each month at 7:00 p.m.

Application Submitted by: _____ Date: _____

Received by: _____ Date: _____

(Township Official Receiving Information)

Excerpt From Soo Township Zoning Book Section 8

SPECIAL LAND USES

SECTION 1 INTRODUCTION

8.01 SPECIAL LAND USES
Zoning has traditionally regulated the uses of land and of structures by assigning such uses to one or more land use districts. With the increasing size and complexity of development projects being proposed and carried out, new and more flexible procedures have had to be worked out to meet the needs of the developer and at the same time to more effectively protect the environment and the interest of the community. Article XI, Special Land Use Permits, affords such procedures, as provided in the 1979 amendments to the Township Rural Zoning Act, PA 184 of 1943.

8.02 DEFINITION
A special use is a use having greater than usual impact on the environment, the community and/or the neighboring property holders. Plans for development for a special use are presented at a public hearing, reviewed by the Planning Commission and reviewed by all affected government agencies. The Planning Commission recommends Approval or Denial of a Special Land Use Permit.

8.03 INTENT
It is the intent and purpose of this Article to provide a set of procedures and standards for the granting of special land use permits in each of the districts in which SPECIAL LAND USES are identified, at all times maintaining provisions for the protection of the health, safety, convenience and general welfare of the Township's residents. Because of the complexity and unique characteristics of many special uses, this article shall provide for detailed review giving particular consideration to the welfare of adjacent lots and to the potential impact on the environment and on the community as a whole. In addition to approving a special land use permit, a final site plan must also be approved.

8.04 PRE-EXISTING USE
Any existing use actually undertaken, which is permissible by right in the district, shall continue as a permissible use even if that use is later designated a special use. Any expansion of the original permissible use, later designated special, must proceed through the special use process for approval.

8.05 REVIEWING AUTHORITY
All applications for special land use permits shall be considered by the Planning Commission. The Commission shall have a quorum to consider a special land use application, and shall require a majority of the full Commission to recommend approval or denial of the special land use permit. The Commission's recommendation shall be forwarded to the Township Board for approval or denial.

8.06 ELIGIBILITY
Only those SPECIAL LAND USES and activities specifically set forth, as eligible for consideration in the particular zoning district in which they are to be located, may be considered for a special land use permit.

8.07 PRE-APPLICATION CONFERENCE An applicant may request an informal conference to discuss a proposed preliminary site plan, or to assess the feasibility of a project. The request may be put on the agenda of a scheduled meeting of the Commission. If the applicant wishes to avoid premature publicity, he may request a meeting upon payment of an established fee. The Chairman of the Commission shall appoint the committee, which shall not include a quorum of the Commission, and which may include board members, a member of the Zoning Board of Appeals, or whoever he/she finds qualified and appropriate.

8.08 APPLICATION AND FEE
All applications for a special land use permit shall be submitted to the Planning Commission through the Township Clerk on a form available from the Township Clerk. The application shall provide eight (8) copies of the application together with all accompanying data. Each application shall be made by the owner(s) of record of the property on which the proposed land use is to exist or be conducted, and shall be accompanied by the payment of a fee as set forth in the schedule established by the Township Board to cover the costs of processing the application and of site plan review. No part of any fee shall be refunded, even in the event of withdrawal of the application.

8.09 COPIES TO OTHER AGENCIES
The applicant shall submit a copy of the application and two (2) copies of the site plan to each of the following agencies: County Road Commission, County Drain Commissioner, District Health Department, County Soil Erosion Control Officer, Township Fire Department and the County Building Department. Upon delivery of the application and site plans, the applicant shall obtain a receipt from each agency as proof of delivery, or a stamped, signed site plan indicating no comment.

8.10 NOTIFICATION OF THE DNR ***(Now EGLE)***
If the application shows any wetland areas on the site plan or on a required map showing creeks, streams, lakes, ponds, or wetland areas within one thousand five hundred (1,500) feet of the property in question, the Secretary of the Commission shall send the Department of Natural Resources a notice of any meetings and/or hearings, with copies of the application, the site plan, the maps submitted, and any other pertinent material; and the DNR shall be asked to express any concerns they may have. This does not relieve the applicant of any responsibility to obtain a wetlands permit from the DNR.

8.11 DATA REQUIRED

A. All applications for Special Land Use Permits are subject to SITE PLAN REVIEW, and the following information is necessary:
   1. A detailed description of the proposed special use for which the permit is requested, and the title of the project.
   2. Project completion schedule/development phases.

B. The following additional information shall accompany the application:
   1. A site plan drawn at a minimum scale of one inch equals fifty feet (1" = 50'), sufficient to show the lot/lots on which the proposed special use is to exist or be conducted, including soils, natural features, vegetation and topography; location of all internal and abutting streets and roads, and parking areas; existing buildings and structures if any, and the proposed location of buildings and structures to be constructed or used as part of the proposed special use; location of onsite sources of water, lagoons and other sewer plans; utility lines and pipes.
   2. Site plans for large scale projects may not be feasible for review at a scale of l" = 50'. In these cases, a site plan drawn at a smaller scale may be submitted with Planning Commission approval.
   3. A statement which may be included in the site plan, setting forth the height of existing and of proposed structures, as well as the total acreage of the property involved.

8.12 PROCEDURE UPON RECEIPT OF APPLICATION

Upon receipt of a special land use application which is supported by the data required above, the application shall be put on the agenda for the earliest Commission meeting practicable, for preliminary consideration. The Township Clerk shall see that notices are published and mailed to neighbors.

8.13 CONDITIONS AND SAFEGUARDS

Additional conditions and safeguards may be imposed by the Commission if reasonable, and necessary to protect the natural environment or to conserve natural resources or energy, to ensure compatibility with adjacent uses of land, to promote the use of the land in a socially and economically desirable manner, and to ensure that public serves and facilities affected by the proposed land use or activity will be capable of accommodating the increased activity. Any conditions so imposed shall meet the following requirements:

A. Be designated to protect natural resources, including but not limited to modification of setback requirements and limitations on the area to be developed.
B. Be designed to protect the health, safety, welfare, social and economic well-being of those who will be using the proposed special land use or activity under construction.
C. Be designed to protect Township residents, and lot owners adjoining the proposed special land use or activity, including but not limited to requirements such as screening, or the erection of natural or artificial barriers, or limitations on the time of day during which construction may occur, or during which special use activities may be carried on.
D. Be necessary to meet the intent and purposes of this Ordinance and be related to the standards established for the land use activity under consideration, and be necessary to ensure compliance with those standards.
E. Be necessary to ensure compliance with any part of the application received and approved by the Commission.
F. Be recorded as part of the special land use permit.

8.14 PUBLIC HEARINGS

Following preliminary consideration, if the Commission is satisfied with the data submitted, or promised, the Commission shall set a date for a public hearing on the special land use application. A notice of the hearing shall be published, and mailed to the applicant and to the adjoining residents and property owners, as was done for the preliminary consideration upon receipt of the application. Subsequent meetings shall require only a published notice.

8.15 VARIANCES

Where the applicant is dependent upon the grant of any dimensional variances by the Zoning Board of Appeals, said favorable action by the Zoning Board of Appeals is necessary before a special land use permit is granted and final site plan approval given. An approved site plan shall include a note referencing the case number and date of all variances granted.

8.16 REAPPLICATION

No application for a special land use permit which has been denied wholly or in part by the Commission, shall be resubmitted until the expiration of one hundred and twenty (120) days from the date of denial, except on grounds of newly discovered evidence or proof of changed conditions. Where the Zoning Board of Appeals has considered a variance pursuant to Section 15, the one hundred and twenty (120) days shall be calculated from the date on which the Zoning Board of Appeals took action.

8.17 BINDING EFFECT

Any special land use permit approved by the Commission pursuant to the provisions of this Ordinance shall be binding between the parties, and said use shall not be substantially modified, altered,, expanded or otherwise changed, unless the developer reapplies for a special land use permit and repeats the process outlined in this Article. Further, such conditions shall run with the land, and be binding on the land owner, his successor, heirs and assigns.

8.18 INSPECTIONS

The County Building Department shall be responsible for the inspection of all improvements for conformance to the approved final site plan. All sub grade improvements, such as utilities, sub base and base installations for streets, drives and parking lots, and similar improvements shall be inspected by the Board or other appropriate official, and approved before covering. But it is the responsibility of the applicant to request such necessary inspections at the appropriate times. The Board shall make a report on the progress being made. The Board shall notify applicant, in writing, of any failure to meet the requirements of the site plan and special use permit, and

report on steps being taken to ensure compliance. The fee schedule established by the Township Board shall include special fees to cover large and complex projects, reflecting the costs to the Township of such repeated inspections.

See additional Standards for special Land Uses in Section 8.19 of the Zoning Ordinance