

Charter Township of Haring – Special Use/Site Plan Review
GUIDELINES FOR USE OF REVIEW FORM

CHARTER TOWNSHIP OF HARING

515 BELL AVENUE, CADILLAC MI 49601

(231) 775-8822 FAX (231) 775-8830

<http://www.twpofharing.org>

zoning@twpofharing.org

APPLICATION FOR: (check all that apply)

Site Plan Review (\$100) _____ Rezone to: _____ (\$400)
 Subdivision Plat Review (\$100) _____ Zoning Board of Appeals (\$440)
 Special Use Permit (\$200) _____ Other _____

(The fees listed above are established by the Charter Township of Haring Board of Trustees by Resolution and are subject to change)

Applicant Information:

Name: _____ Date: _____

Address: _____

Location if not the same address: _____

Phone: () _____ Fax: () _____ E-Mail: _____

Parcel Number: 2209- _____ Current Zoning: _____

Legal Description: _____

Description of Request and Proposed Use: (attach pages as needed) _____

If the request is for a rezone:

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

Signature of Applicant: _____ Date: _____

Optional: I hereby grant permission for the Zoning Administrator, and /or members of the Board to which this application is made to enter the above described property for the purpose of gathering information related to this application. *Note: This permission is optional and failure to grant permission will not affect any decision on your application.*

Signature of Applicant: _____ Date: _____

Office Use Only:	
Date Received:	Fee Paid: _____
Documents Received:	_____
Other:	_____
Application accepted by:	_____

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PART 1. (Ministerial Decisions) - Threshold questions to be answered by zoning administrator or site plan review officer upon receipt of site plan submission from applicant. These frequently involve numerical standards and can always be answered, "yes" or "no," by direct reference to the cited sections of the Zoning Ordinance. The reviewer should address these questions:

Applicable Zoning Ordinance Section	SPECIAL USE/SITE PLAN REVIEW QUESTIONS/REQUIREMENTS.
§206(1)	Is a Site Plan required?
§206(2)	<p>EVERY site plan submitted shall be in accordance with the requirements of this Ordinance AND SHALL INCLUDE THE FOLLOWING INFORMATION:</p> <ul style="list-style-type: none"> a) Is the plan to scale? A scale of not less than 1” equals 50’ if the subject property is less than 3 acres and 1” equals 100’ if 3 acres or more is required. b) Is the scale shown? Plan dated? Arrow pointing North? All site plans must be dated, include a north arrow, and state the scale on the drawing [see item (a) above]. c) Are the dimensions of all lot lines and property lines showing the relationship of the subject property to abutting properties shown? The site plan must include the dimensions of all lot lines and property lines as noted. d) Are locations of existing & proposed structures on the subject property and within 100’ of the subject property shown? All structures within the subject property and within 100’ of the subject property must be shown on the site plan. e) Are locations of existing & proposed drives & parking spaces shown? These features are required on the site plan. f) Are locations and widths of all rights of way, streets and alleys shown? These features are required on the site plan. g) Does the site plan include the name and address of the person(s) responsible for the preparation of the site plan? The site plan must include the name and address of the person(s) responsible for its preparation. <p>ALL OF THE ITEMS (a) THROUGH (g) IDENTIFIED ABOVE MUST BE INCLUDED ON ALL SITE PLANS, AS REQUIRED BY THE ORDINANCE SECTION # 206(2). IF ANY OF THE ABOVE ITEMS ARE MISSING, INCOMPLETE, OR INCORRECT, THE SITE PLAN WILL NOT BE APPROVED.</p>
§202	If accessory buildings are proposed, are they compliant with this section?
§203(1) (Industrial only)	If open storage is proposed, are performance standards met? The open storage applies in the Industrial district to certain types of industrial equipment, vehicles, waste, and materials that must be screened from public view by an enclosure subject to the details of Ordinance Section 203(1).

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§203(2)	If the proposal involves the storage or placement of waste materials, are those materials managed in accordance with Ordinance Section 203(2), (a) through (c)? See Chapter 8 for definition of “waste materials”.
§205	If site is a corner lot, are corner clearances compliant?
§210	If fences or walls are required, are they compliant?
§214	Does the site have required access?
§218	Are water & sewer requirements met? Required permits issued?
§219	Does the submission show compliance with off-street parking regulations, if applicable? <ul style="list-style-type: none"> • Number of spaces? [See §§ (2),(3)] • Drainage? [See §§ (5)(A)] • Width? [See §§ (5)(B)] • Stacking Areas? [See §§ (5)(B)] • Angles? [See §§ (5)(B)] • Aisles? [See §§ (5)(B)] • Lighting? [See §§ (5)(C)] • Screening? [See §§ (5)(D)]
§305	Is the proposed use permissible in the zoning district where the development is proposed to be located? <ul style="list-style-type: none"> • If no, site plan must be denied (applicant may request rezoning of parcel). • If permissible by right, Site Plan Review Officer completes site plan review. • If permissible only by Special Use Permit, Planning Commission must sign off on Part 1(Site Plan Review) and conduct Part 2 Review (Special Use Permit). • If proposed use is not listed in the Ordinance as permissible by right or special use permit within at least one zoning district, applicant must seek a use classification from Zoning Board of Appeals under §304(2) and 703(3)(b). Site plan review <i>stops</i> pending decision by ZBA.
§305	Does the submission show compliance with numerical standards applicable to the zoning district in which the site is situated? <ul style="list-style-type: none"> • Maximum building height? • Minimum lot area? • Maximum lot coverage? • Minimum road frontage? • Front, side and rear set-backs? • Other numerical regulations/ requirements?

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Applicable Zoning Ordinance Section	SPECIAL USE/SITE PLAN REVIEW QUESTIONS/REQUIREMENTS.
§503	<p><u>GENERAL STANDARDS.</u> The Planning Commission shall review the particular circumstances of the special use request in terms of the following standards, and shall approve a Special Use Permit only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in the Ordinance:</p> <ul style="list-style-type: none"> a) Is the use designed, constructed, operated, and maintained in a manner that is harmonious with the character of adjacent property and the surrounding area? b) Is the use designed in a manner that will not inappropriately change the essential character of the surrounding area? c) Is the use designed in a manner that will not interfere with the general enjoyment of surrounding property? d) Will the use represent an improvement to the use or character of property under consideration and the surrounding area in general, yet also be in keeping with the natural environment of the site? e) Is the use designed in a manner that will not be hazardous to adjacent property, or involve uses, activities, materials, or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes, or glare? f) Will the use be adequately served by essential public services and facilities? If not, it shall be demonstrated that the person responsible for the proposed special use shall be able to provide for the services and facilities deemed essential to the special use under consideration. Such public services and facilities include, but are not limited to, highways, streets, fire and police protection, drainage structures, water and sewage disposal facilities, and schools. All structures which are required by applicable building codes to contain plumbing fixtures shall be connected to public water or public sewer, or both, when required by the Haring Township Water and Sewer Ordinances. In the event the provision of public water and public sewer, or both, is necessary such that the other standards set forth for approval in this Ordinance can be met, the approving body may impose, as a reasonable condition, as necessary to meet the goals or specific standards for special land use approval, a requirement of connection to public water and sewer when such connection would not otherwise generally be required by the Township Water or Sewer Ordinance. g) Is the use designed in a manner that will not place demands on public services and facilities in excess of current capacity? h) Is the use consistent with the intent and purpose of this Ordinance, and with the objectives of the Township Comprehensive Master Plan?
§505	Does the submission show compliance with additional numerical requirements applicable specifically to the proposed use (if any)? See also §212 (mobile home parks), §221 (single family dwellings), §222 (telecommunications towers).

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VARIANCES: *If applicant cannot comply with applicable numerical provisions of Sections 202, 203, 205, 210, 219, 305 and/or use-specific numerical requirements (§212, 221, 222 or 505), the site plan review process must **stop**. A variance, based on a showing of "**practical difficulty**" must be obtained from the Haring Township Zoning Board of Appeals under §703(1), (1a) **before** site plan review can continue.*

PART 2: (Discretionary Decisions) – This analysis involves making "findings of fact" and reaching decisions (conclusions of law)¹ by applying facts as submitted, to the Ordinance's provisions. These decisions require judgment and, often, the "balancing" of competing interests. Such decisions may be made by the Site Plan Review Officer for uses allowable by right in a particular district, or in all other cases, by the Planning Commission. The reviewing officer/body must consider:

§206(3) **Harmoniousness** - Overall, is the design harmonious with:

1. §206(3)(a) **Adjacent properties? The surrounding area?**

Why yes or no? If no, what changes, additions, deletions or modifications to the plan, as submitted will render the design harmonious?

2. §206(3)(b) **Driveways** – Are the location, design of ingress/egress drives compatible with:

- (1) Streets giving access to the site?
- (2) Pedestrian Traffic?

Why yes or no? If no, what changes, additions, deletions or modifications will render the design compatible?

3. §206(3)(c) **Traffic Circulation** - Are traffic circulation features within the site:

- (1) Safe and convenient for both vehicular and pedestrian traffic, on and off site?
- (2) Satisfactory for and in harmony with development of contiguous land and adjacent neighborhoods?

Why yes or no? If no, what changes, additions, deletions or modifications in the design will assure compliance with these criteria?

4. §206(3)(c) **Parking** - Are locations of automobile parking areas:

- (1) Safe and convenient for both vehicular and pedestrian traffic, on and off site?
- (2) Satisfactory for and in harmony with development of contiguous land and adjacent neighborhoods?

Why yes or no? If no, what changes, additions, deletions or modifications in the design will assure compliance with these criteria?

¹ When you decide that standard is not met (i.e. check "no ") you have made a conclusion of law. Your objective reasons/or reaching that conclusion are "findings of fact. "

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5. §206(3)(d) **Other Requirements/ Conditions** - What additional conditions should be imposed and maintained to assure conformity with the objectives set forth in §206(3) and the Ordinance as a whole?
- (1) Landscaping?
 - (2) Fencing? [See also §§205, 210]
 - (3) Walls?
 - (4) Other Requirements/Conditions?

In cases of Special Uses, §503(3) gives the Planning Commission broad discretion to impose additional conditions or safeguards deemed necessary to achieve the objectives of the Ordinance. When imposing such conditions, it is especially important to document reasons for the condition tied to a specific objective of the Zoning Ordinance. (See §102).

In reviewing site plans, making findings and reaching conclusions as to specific standards, the reviewing body should be as specific as possible, citing applicable standards by reference to the zoning ordinance. Reasons (facts) supporting the conclusion should be stated in writing on the review form. Conditions imposed should also be specifically stated and related to factual findings and specific provisions of the Ordinance. (Use additional sheets if necessary). Arbitrarily imposed conditions will not survive a court challenge.