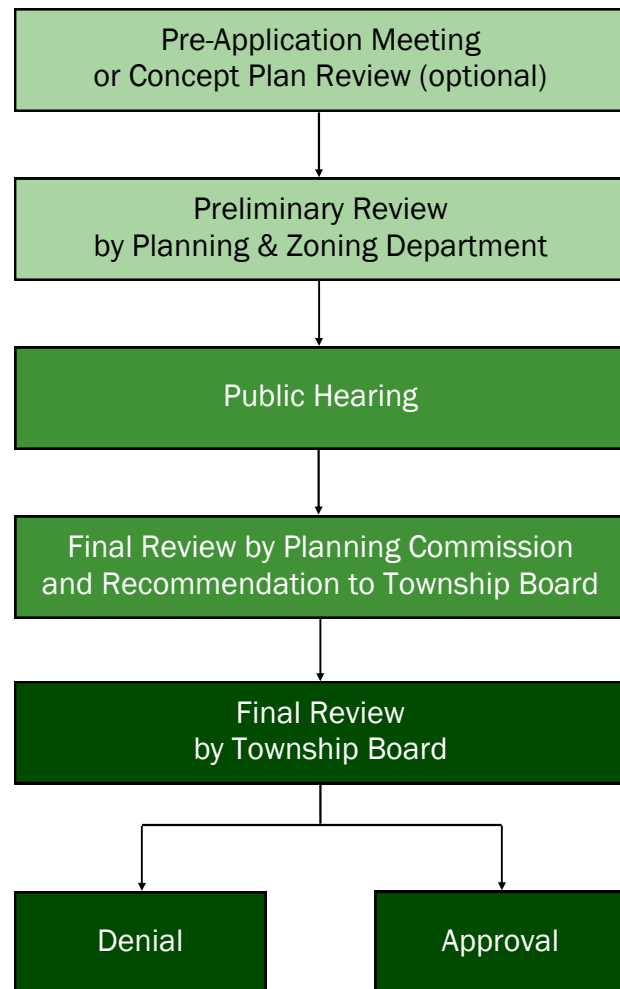


Special Land Uses

Overview

What is a special land use?

Special land uses are uses that *may* be permitted within a zoning district subject to special conditions and standards. Special land uses listed in the Zoning Ordinance may not always be permitted at all locations within a district. Special land uses are subject to the following: 1) specific use conditions listed in the ordinance, 2) standards for all special land uses listed in Section 6.5.A.1(a-h) of the Zoning Ordinance, 3) site plan review by the Planning Commission, and 4) final approval by the Township Board.

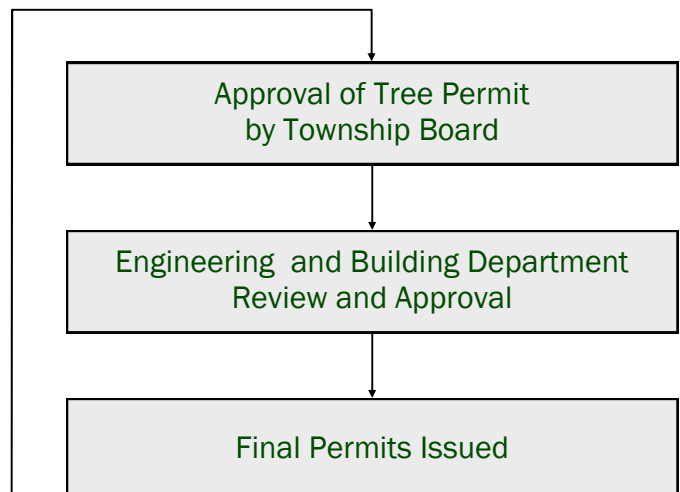


What is the special land use review process?

The special land use review process generally follows the site plan review process with the addition of a public hearing before the Planning Commission and final review and approval by the Township Board.

A complete site plan application package is required for all special land use proposals.

Preliminary review *may* not be required if the project is moderate in scope. Please check with the Planning & Zoning Department to determine whether preliminary review is required.



Special Land Uses

Application Requirements

What is required for preliminary review?

The following must be submitted for preliminary review of all special land uses:

- One (1) completed Application Form with original signatures of the legal owner and applicant.
- One (1) completed Applicant Information Form with one (1) readable copy of both sides of the applicant's driver's license attached (fax copies will not be accepted).
- One (1) original notarized Affidavit of Ownership and supporting ownership documentation.
- Eight (8) copies of the sealed site plan, floor plans, elevations, landscape plan and tree inventory (refer to Site Plan Checklist).
- One (1) copy of written response to special land use standards.
- One (1) copy of the Development Impact Statement and/or Traffic Impact Study, if applicable.
- Engineering fee and tree review fee.

What information must be included on the site plan?

All special land use proposals must be accompanied by a complete site plan application package that includes the information required by Section 6.1 of the Zoning Ordinance.

Site plans must demonstrate compliance with all applicable standards for the proposed use and development and the special land use standards contained in Section 6.5 of the Zoning Ordinance.

Site plans must conform to current Township regulations and those of any other agency having jurisdiction.

Incomplete site plans will not be accepted for review. Please refer to the Site Plan Procedures and Checklist for assistance in preparing a complete site plan package.

What is required for final review?

The following must be submitted for final review of all special land uses:

- Three (3) copies of the sealed site plan, floor plans, elevations, landscape plan and tree inventory (refer to Site Plan Checklist).
- One (1) copy of written response to special land use standards.
- Summary of changes incorporating all comments made during preliminary review.
- Twelve (12) copies of the Development Impact Statement and/or Traffic Impact Study, if applicable.
- Site plan review fee(s).

If any ownership information has changed since preliminary review, or if preliminary review was not required, the following must also be submitted:

- One (1) completed Application Form with original signatures of the legal owner and applicant.
- One (1) completed Applicant Information Form with one (1) readable copy of both sides of the applicant's driver's license attached (fax copies will not be accepted).
- One (1) original notarized Affidavit of Ownership and supporting ownership documentation.

What are the submission deadlines for special land use review?

There are no submission deadlines for preliminary review. Plans will typically be reviewed by the Planning and Zoning Department, and all other applicable Township departments, within approximately two (2) weeks of their submission.

Final plans for review by the Planning Commission must be submitted to the Planning and Zoning Department at least four (4) weeks prior to a scheduled public hearing meeting. Applications will be scheduled for public hearing in the order in which they are received and on the basis of completeness.

Special Land Uses

Special Land Use Standards

What are the review standards for special land uses?

All applications for special land use approval shall be accompanied by a written narrative responding to the following general review standards contained in Section 6.5 of the Shelby Township Zoning Ordinance:

- The proposed use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and applicable regulations of the zoning district in which it is to be located.
- The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle interfaces in residential districts.
- The proposed use shall be designed as to the location, size, intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating there from which might be noxious to the occupants of any other nearby uses permitted, whether by reason of dust, noise, fumes, vibration, smoke or lights.
- The proposed use shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
- The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the township.
- The proposed use offers a service for the public convenience at the proposed location.
- The proposed use is so designated, located, planned and to be operated that the public health, safety and welfare will be protected.
- The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.



Special Land Uses

Common Questions

Do I need to attend any meetings?

You will be notified of all meetings with your special land use request on the agenda. It is strongly recommended that you have representation at all meetings at which your request will be discussed.

Action may be taken on a special land use request whether the applicant is in attendance or not; however, action may be postponed if the applicant is not available to answer questions.

What happens after the Planning Commission's final review?

After final review of the special land use request, the Planning Commission will make a recommendation to the Township Board. The Township Board has final approval authority for all special land uses.

Does final approval allow me to begin construction?

Final approval does not authorize construction. Following approval, permits to allow construction or begin the use must be sought through appropriate Township departments and other agencies.

Special land use approval confers compliance with the Zoning Ordinance. It does not satisfy engineering or building requirements. Plans must be approved separately by the Township Engineer and the Building Department. A tree inspection may also be required.

How do I apply for a tree permit?

Tree permits are processed as part of site plan review; a separate application is not required. A tree inventory must be submitted (unless the Township Board approves an optional sketch). Prior to issuance of the permit, final engineering approval is required and protective fencing must be installed and inspected.

What happens after final approval?

Once approval is given for a special land use, the next step is to make any necessary changes to the plans as required by the Planning Commission or Township Board. Upon revision, the applicant must submit the following to the Planning and Zoning Department for verification:

- Six (6) copies of the final revised site plan. One (1) copy must clearly highlight all revisions.
- Detailed summary of changes in response to Planning Commission or Township Board comments.

Acceptable final plans will be stamped "approved" and signed by the Planning Director. One (1) copy of the approved plans will be returned to the applicant.

How long is approval valid?

Special land use approval is valid for 24 months from the date of approval. Within 24 months, the applicant shall have made application for a building permit or received engineering approval. Failure to do so will result in approval being null and void.

A request for extension shall be made in writing to the Township Board, and it will be addressed at the next available meeting. If approval is not extended before the expiration of the 24-month period, a new application and approval shall be required.

Who do I contact if I have more questions?

Contact the Shelby Township Planning and Zoning Department at:

Phone: (586) 726-7243
Email: planning@shelbytwp.org
Address: 52700 Van Dyke
Shelby Township, MI 48316