

Rezoning Requests

Overview

What is a rezoning of property?

A rezoning is a change in the zoning classification of a specific property; it is an amendment to the Township's Official Zoning Map.

Authority to rezone property rests with the Township Board.

Who can initiate a rezoning request?

A rezoning may be initiated by the Township Board, the Planning Commission, or an owner of real property within the Township.

What is a conditional rezoning?

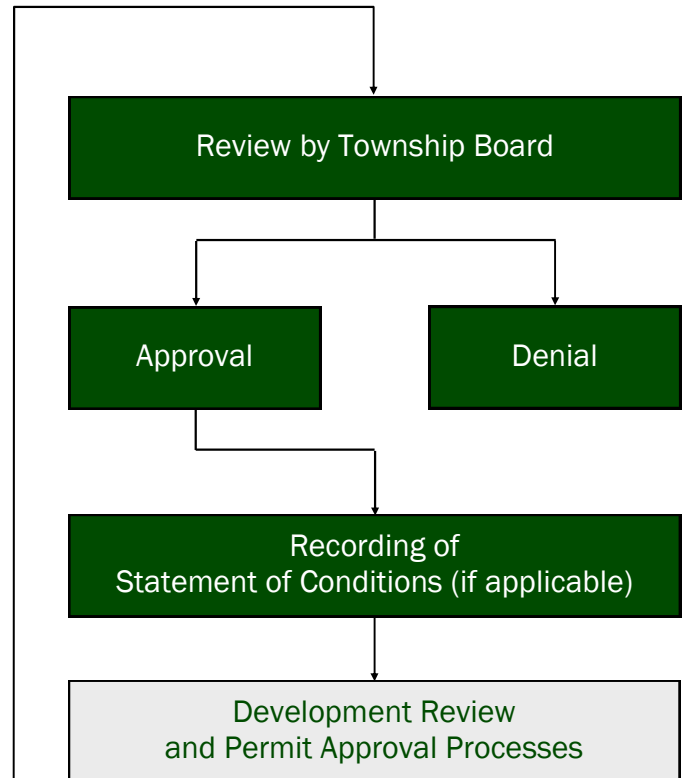
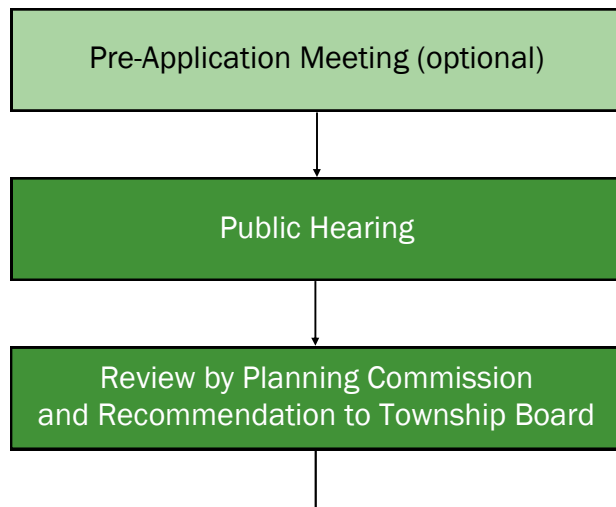
A conditional rezoning is a rezoning request with a voluntary offer of conditions attached. As part of a rezoning request, an owner of property may voluntarily offer in writing, and the Township may approve, certain use and development of land as a condition to the approval of a rezoning.

An offer of conditions submitted as part of a conditional rezoning request shall bear a reasonable and rational relationship to the property for which rezoning is requested. Conditional rezoning requests are subject to Section 7.18 of the Shelby Township Zoning Ordinance and all applicable sections of the Michigan Zoning Enabling Act (M.C.L. 125.3101 et seq.).

What are the procedures for requesting a rezoning?

Upon receipt of a complete application for rezoning, the Planning Commission will hold a public hearing, review the request, and make a recommendation to the Township Board. The Township Board has final authority to approve or deny a request for rezoning.

Applicants should note that changes to rezoning proposals prior to Township Board approval may result in additional public hearing(s).



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Requirements for Rezoning

What are the application requirements?

- 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 copy of the Affidavit of Ownership and supporting ownership documentation.
- One (1) copy of a Letter of Intent outlining plans for development/use of the property (concept plans will not be accepted.).
- One (1) copy of a legal survey with parcel boundaries, dimensions, and existing buildings.
- One (1) copy of existing conditions information including generalized topography and natural features, adjacent development, and relationship of to parcels within ¼-mile of the site.
- One (1) copy of the Rezoning Traffic Study, if applicable.
- One (1) copy of a Location Map, with North point, indicating subject property and abutting parcels (maximum width: two newspaper columns).
- Offer of conditions, if applicable.
- Review fee.

What is required for a conditional rezoning request?

Upon approval of a conditional rezoning request, the applicant shall submit a formal written Statement of Conditions that shall:

- Be in a form recordable with the Macomb County Register of Deeds.
- Contain a legal description of the land.
- Acknowledge that the use and development of the land shall conform thereafter to all of the requirements regulating use and development within the new zoning district as modified by the Statement of Conditions.
- Acknowledge that the Statement of Conditions runs with the land and is binding upon successor owners.
- Incorporate by attachment any diagrams, plans, or documents submitted or approved by the owner that are necessary to illustrate implementation of the Statement of Conditions.
- Acknowledge that failure to comply with any conditions shall constitute a violation of the Zoning Ordinance.
- Contain the notarized signatures of all owners and a statement attesting to their voluntary offer of and consent to the Statement of Conditions.

Common Questions

Do I need to attend any meetings?

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

The Planning Commission and Township Board may take action on a request whether the applicant is in attendance or not; however, action may be postponed if the applicant is not available for questions.

Who do I contact if I have more questions?

Contact the Shelby Township Planning and Zoning Department at:

Phone: (586) 726-7243

Email: planning@shelbytwtp.org

Address: 52700 Van Dyke

Shelby Township, MI 48316