Date Rec'd:_____

PLANNING COMMISSION APPLICATION
SILVER CREEK TOWNSHIP

P.O. BOX 464
DOWAGIAC, MICHIGAN 49047
PHONE (269) 424-3025
FAX (269) 424-3858

For Office Use Only

Date Rec'd_____
Effective Date_____
Fee Rec'd_____
Hearing date_____

Township Planning Commission:
Action:_____
Date:_____

County Planning Commission:
Action:_____
Date:_____

Township Board:
Action:_____
Date:_____

Notice of Adoption Date:_____

Special Land Use Application

This application will not be accepted if incomplete.
All required materials must be submitted at least 45
Days prior to the next Planning Commission meeting.

Per Silver Creek Township Ordinance 155.131 -

(A) *Application*. An application for permission to establish a special land use shall be submitted in accordance with the following procedures.

(1) Applications for a special land use shall be submitted at least 30 days prior to the next Planning Commission meeting through the Zoning Administrator who will review the application for completeness, then transmit it to the Planning Commission. Applications not meeting the requirements shall be returned to the applicant for completion.

(2) An application for a special land use approval shall consist of the following:

(a) Nine copies of a final site plan meeting the requirements of 155.099(B);

(b) A completed application form, as provided by the township;

(c) Payment of a fee in accordance with a fee schedule, as determined by the Township Board from time to time;

(d) A legal description of the entire property which is the subject of the special land use;

(e) A statement with regard to compliance with the criteria required for approval in 155.132 and 155.133, and other criteria imposed by this chapter affecting the special land use under consideration; and

(f) Other materials as may be required by the Planning Commission.

(B) *Public hearing*.

(1) Upon receipt of an application for a special land use, the Planning Commission shall hold a public hearing for the purpose of receiving comments relative to the special land use application.

(2) Notice of the public hearing shall be as required by the township's Zoning Act, being M.C.L.A. 125.3101 et seq.

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(3) Upon the approval or approval with conditions by the Planning Commission, the applicant may apply for a building permit.

(4) If denied, the Planning Commission, in its minutes, shall state the reasons for such denial and provide the applicant with a copy.

(5) If, during the course of a public hearing, expert testimony is required for the Planning Commission to make a decision, and the applicant has not provided expert evidence on the matter, the Planning Commission can require the applicant to hire an expert, approved by the Commission, at a continued public hearing before making its decision.

Per Silver Creek Township Ordinance 155.132 -

Prior to approval of a special land use application, the Planning Commission shall ensure that the standards specified in this section, as well as other applicable standards of this chapter, are satisfied by the completion and operation of the special land use under consideration.

(A) The Planning Commission shall review the particular circumstances of the application under consideration in terms of the following standards, and shall approve a special land use only upon a finding of compliance with each of the following standards.

(1) The special land use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

(2) The special land use shall not change the essential character of the surrounding area.

(3) The special land use shall 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 creation of hazardous or potentially hazardous situations or the excessive production of traffic, noise, smoke, fumes, or glare.

(4) The special land use shall not place demands on public services and facilities in excess of current capacity.

(B) The Planning Commission and/or Township Board may require the submission of a reasonable review fee which the township may use to pay for the services of a qualified attorney, engineer, planner, inspector, or other individual which the Planning Commission and/or Township Board deems necessary. Said fees shall only be used for the review of any proposal covered under the terms of this chapter. All such fees shall be held in escrow and any unused fees shall be returned to the applicant.

(C) The Planning Commission may impose conditions with the approval of a special land use which are necessary to ensure compliance with the standards for approval stated in this section and any other applicable standards contained in this chapter. Such conditions shall be considered an integral part of the special land use application and shall be enforced by the Zoning Administrator.

(D) If, after the establishment of the special land use, the approved use is found not to be in compliance with the approval granted by the Planning Commission, said use shall have 60 days to correct any problems as determined by the Planning Commission. If infractions are not corrected within the 60 days, the provisions of 155.134 shall be initiated.

Per Silver Creek Township 155.133 -

(A) A special land use approval shall be valid for one year from the date of approval, unless approval is revoked as provided in 155.134, or the special land use has been initiated, or construction necessary for such use has been initiated and is proceeding meaningfully toward completion, in which case the approval shall remain valid indefinitely, unless the use is abandoned or discontinued for six consecutive months.

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(B) If, by the end of this one-year period, the special land use has not been initiated or construction necessary for such use has not been initiated or, if construction has been initiated but is not proceeding meaningfully toward completion, then the special land use shall be deemed expired and no longer valid.

(C) A special land use approval, including conditions imposed, is attached to and shall run with the land for which the approval is granted, and shall be binding upon subsequent owners and all occupants of the subject land.

(D) Application for approval of an expired special land use approval shall be considered as a new application.

Per Silver Creek Township Ordinance 155.134 -

The Planning Commission may revoke any special land use approval, or take any other action allowed by law, if the applicant fails to comply with any of the applicable requirements in this chapter, any conditions placed on the approval by the Planning Commission, or any other applicable provisions of this chapter. Prior to revoking a special land use approval, the Planning Commission shall conduct a public hearing and give notice of such hearing in accordance with the Zoning Act, being M.C.L.A. 125.3101 et seq.

APPLICANT INFORMATION (If different than owner)

Name_____

Phone_____Fax_____

Address_____Email_____

City_____

OWNER INFORMATION

Name_____

Phone_____Fax_____

Address_____Email_____

City_____

PROPERTY INFORMATION

Address or Location_____

Permanent Parcel #_____

Zone District (Current)_____

Property Size_____

Directions & Landmarks_____

Date Rec'd:_____

DESCRIPTION OF PROPOSED USE/REQUEST

I hereby attest that the information on this application form is, to the best of my knowledge, true and accurate. I hereby grant permission for members of the Silver Creek Township (Planning Commission) to enter the above-described property (or as described in the attached) for the purposes of gathering information related to this application.

_____ _____

Signature of Applicant Date

DESCRIPTION OF PROPOSED USE/REQUEST

Date legal notices published in paper_____

Date notices mailed to neighboring property owners_____

Date Rec'd:_____

ACTION TAKEN BY PLANNING COMMISSION

Date: _____

____ Approved ____Denied As follows:

_____

_____

_____

_____

Chairman Nick Barnes	_____	_____
Mike Glynn (Trustee)	_____	_____
Jon Tidey	_____	_____
Debbie Brown	_____	_____
Tim Feirick	_____	_____
John Joossens	_____	_____
Veronnica Kenreich	_____	_____
	Vote	Signature

If approved – date submitted to Cass County Planning Commission for approval_____

If approved or denied – date Township Board took action_____

Approval_____ Denial_____

OFFICE USE:

Application Fee Paid_____

Submitted Materials: ___Site Plan ___Application ___Survey

Application Accepted by_____ Date Accepted_____