

PETITION TO REZONE IN A UTRAIN TOWNSHIP, MICHIGAN

Au Train Township Planning Commission
PO Box 33
Au Train, Michigan 49806
www.autrainship.org
Phone (906) 892-8265

PROCEDURES TO REZONE PROPERTY

For all rezoning requests, a public hearing is held by the Planning Commission which makes a recommendation to the Township Board. The Township Board makes the final decision.

1. Application Form and Fee Schedule.

An application form and fee schedule for rezoning can be obtained from the Township offices. The application fee covers the cost of advertising the public hearing, mailing notices to property owners and/or occupants of properties within 300 feet of the applicant's property, all utility companies in the area, and holding a public hearing. The escrow fee covers the cost of the services provided by professional consultants retained by the Township to assist in analyzing the request.

2. Meeting Dates

The Au Train Township Board of Trustees meets on the second Monday of each month at 6:00 P.M. The Au Train Township Planning Commission meets on the second Thursday at 7:00 P.M. at least four (4) times a year, and also at special meetings called by the Planning Commission.

3. Processing Period

A rezoning application usually takes about 60 days to process.

4. Application Procedures

Whenever an application is filed to rezone property, the following steps are followed in processing the application.

- (a) An application for a rezoning is submitted to the Zoning Administrator along with the required fee(s). **The application must be signed by the owner(s) of the property for which the application has been submitted.**
- (b) Upon receipt of the rezoning application and fee, the Zoning Administrator will set a public hearing date **with the Planning Commission.**
- (c) Notice of this public hearing is then published in the Munising Newspaper and notices are also mailed to occupants, property owners, and utility companies within 300 feet of the boundaries of the property to be rezoned. The notice must be published and mailed at least 15 days before the public hearing

The mailing list is taken from the most recent Township assessment roll. A notice is also sent to any utility, airport or railroad that registers its name with the Township for purposes of receiving such notice.

In cases where property within 300 feet of the site to be rezoned is within another municipality, the Au Train Township Clerk will obtain a list of those property owners and occupants in the adjoining municipality which are within 300 feet of the site to be rezoned and mail them a notice.

- (d) A report analyzing the rezoning may be prepared by the Township Planner for the Planning Commission.
- (e) The public hearing is held by the Planning Commission. The applicant and others in attendance are provided an opportunity to speak on the rezoning. Following the public hearing, the Planning Commission will vote to approve, deny, modify, or postpone the rezoning. **This vote is a recommendation to the Township Board.**
- (f) The recommendation of the Township Planning Commission is considered by the Township Board at the next regular Board meeting along with the written record from the public hearing. **The Board makes the final decision on these requests and may vote to approve, deny, modify, or postpone the rezoning.**
- (g) The applicant is notified in writing of the final disposition of the rezoning.
- (h) If the rezoning request is approved, the ordinance or summary of the ordinance is published in a local newspaper within 15 days of adoption. The rezoning request is effective seven days after publication.

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YOU MUST ALSO INCLUDE A \$1,000.00 PROCESSING FEE AND MAP OF THE AREA TO BE REZONED WITH YOUR COMPLETED APPLICATION. Please make check payable to "Au Train Township".

(Please answer ALL of the following questions. You may attach pages as necessary.)

A. Applicant name, telephone number, and address (if you are not the property owner, please include signed authorization to act as agent).

B. Property owner's name and address (if different from applicant).

C. Legal description and map of property proposed for rezoning (attach on separate page, if necessary).

D. Common Description (address) of property.

E. Current zoning and use of property:

F. Proposed zoning of property:

G. Is this rezoning consistent with the Au Train Township Master Plan? Explain Why.

H. Reason for zoning change request.

THE ATTACHED PAGE CONTAINS QUESTIONS SIMILAR TO THOSE THE PLANNING COMMISSION WILL CONSIDER WHEN DELIBERATING YOUR REQUEST. THIS INFORMATION MAY BE HELPFUL TO YOU IN PREPARING FOR YOUR HEARING.

CONSIDERATIONS FOR REZONING

1. Can property reasonably be used for any permitted use under its present zoning classification? (Answer should be no).
2. Is the proposed use compatible with other uses in the zoning district? (Answer must be yes).
3. Would it be more appropriate to amend the zoning ordinance to add the proposed use to the existing district, either as permitted or special approval use? (Answer must be no).
4. Is the location proposed appropriate for the range of uses permitted in the zone requested? (Answer must be yes).
5. Would rezoning be consistent with other zones, land uses, or trends in development for that area? (Answer must be yes).
6. Are uses in the proposed zone equally or better suited to the area than the current uses? (Answer must be yes).
7. Is the proposed rezoning consistent with both the policies and the uses proposed to that area in the Master Plan? (Answer should be yes).
8. Does the request constitute spot zoning? (Answer should be no).
9. Can the proposed development be adequately served by public utilities and services? (Answer must be yes).
10. Will the proposed zoning create a greater negative impact on the surrounding area than the uses permitted under the current zoning? (Answer must be no).
11. Is there any vacant land in the county already zoned for this use? (Answer should be no).

*******REMEMBER!*******

When considering rezoning property, the intended land use of the applicant is NOT an issue. The Planning Commission must determine the possible effect of EACH of the uses permitted in the proposed zone.

The current Zoning Ordinance and Master Plan for Au Train Township may be found on the web at <http://www.autraintownship.org/documents/MasterPlanandsupportingmaps>