

CITY OF IMLAY CITY

REZONING APPLICATION

To be completed by petitioner and returned to the City Office

TO THE PLANNING COMMISSION:

I (WE), THE UNDERSIGNED RESPECTFULLY MAKE APPLICATION AND PETITION THE PLANNING COMMISSION TO AMEND THE ZONING ORDINANCE AND CHANGE THE ZONING MAP AS HEREINAFTER REQUESTED, AND IN SUPPORT OF THIS APPLICATION, THE FOLLOWING FACTS ARE SHOWN:

1. Property description and location:

PROPERTY PARCEL ID #: _____

2. The property sought to be rezoned is owned by:

NAME: _____

ADDRESS: _____

TELEPHONE: _____

3. It is desired and requested that the foregoing described property be rezoned from _____ to _____.

4. It is proposed that the property will be put to the following use:

5. It is proposed that the following building(s) will be constructed:

6. The attached statement states why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such changes will not be detrimental to the public welfare, nor the property of other persons located in the vicinity thereof.

7. Attached are two (2) prints of a plot plan showing the lot or parcel in question and the intended layout. These prints are made a part of this petition and are drawn to scale.

Signature of Applicant

Date

Address

Telephone Number

Fax Number

ACTION TAKEN BY THE PLANNING COMMISSION:

1. Date of Public Hearing: _____

2. Findings of the Planning Commission:

3. Recommendations:

ACTION TAKEN BY THE CITY COMMISSION:

1. Date of Public Hearing: _____

2. Findings of the City Commission:

3. Action of the City Commission:

Date: _____

City Clerk

Zoning

Article 17 Rezoning and Ordinance Amendments

Section 17.1 Initiation of Rezonings and Ordinance Amendments

The City Commission may, from time to time, amend, modify, supplement or revise the zoning district boundaries shown on the Official Zoning Map (rezoning) or the provisions of this ordinance. An amendment to the zoning district boundaries contained on the Official Zoning Map (rezoning) may be initiated by the City Commission, the Planning Commission, or by the owner or owners of property which is the subject of the proposed amendment. Amendments to the provisions of this ordinance may be initiated by the City Commission, the Planning Commission, or by petition of one or more residents or property owners of the city. All proposed amendments to the Official Zoning Map or the provisions of this ordinance shall be referred to the Planning Commission for public hearing and recommendation to the City Commission, prior to consideration thereof by the City Commission.

Section 17.2 Application Procedure

- A. An amendment to the Official Zoning Map or this ordinance except those initiated by the City Commission or Planning Commission, shall be initiated by submission of a completed application on a form supplied by the city, including an application fee, which shall be established from time to time by resolution of the City Commission.
- B. In the case of an amendment to the Official Zoning Map (rezoning), the following information shall accompany the application form:
 1. a legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties;
 2. the name, signature and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner;
 3. the existing and proposed zoning district designation of the subject property;
 4. a site analysis site plan illustrating existing conditions on the site and adjacent properties, such as woodlands, wetlands, soil conditions, steep sloped, drainage patterns, views, existing buildings, any sight distance limitations and relationship to other developed sites and access points in the vicinity;
 5. a conceptual plan demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers access spacing, any requested service drives and other site design factors;
 6. a written environmental assessment describing site features and anticipated impacts created by the host of uses permitted in the requested zoning districts; a traffic impact analysis, shall be provided if any use permitted in the requested zoning district could generate one hundred (100) or more peak hour directional trips, or one thousand (1,000) or more vehicle trips per day. The traffic study should

Zoning

- B. compatibility of the site's physical, geological, hydrological and other environmental features with the host of uses permitted in the proposed zoning district;
- C. evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under the current zoning;
- D. the compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values;
- E. the capacity of city infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the city;
- F. the apparent demand for the types of uses permitted in the requested zoning district in the city in relation to the amount of land in the city currently zoned to accommodate the demand;
- G. where a rezoning is reasonable given the above criteria, a determination the requested zoning district is more appropriate than another district or amending the list of permitted or special land uses within a district; and
- H. the request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.

Section 17.5 Amendments Required to Conform to Court Decree

Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the City Commission and published, without necessity of a public hearing or referral thereof to any other Commission or agency.