

**HOMER TOWNSHIP PLANNING COMMISSION  
LAND USE APPLICATION**

**1-APPLICATION FOR:** (check all that apply)

Site plan       Rezoning-regular       PUD  
 Special use       Rezoning-spot       Subdivision  
 Rezoning-conditional

**2-APPLICANT/PARCEL INFORMATION**

- Applicant is property owner: Yes  No  (if no, signed letter from property owner is attached authorizing applicant to act on owners behalf.)

-Applicant name: \_\_\_\_\_

-Address/City/State/Zip: \_\_\_\_\_

-Phone & e-mail: \_\_\_\_\_

-Parcel number/street address: \_\_\_\_\_

-Parcel current zoning/use \_\_\_\_\_

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**3-PROPERTY OWNER INFORMATION** (if different from applicant)

Name \_\_\_\_\_

Address/City/State/Zip/Phone \_\_\_\_\_

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**4-REQUESTED ACTION** (describe in detail)

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**5-I** hereby attest that the information provided on this form is true and accurate.

\_\_\_\_\_  
**Signature** of applicant/property owner

\_\_\_\_\_  
Date

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**6- I** hereby grant permission for members of the Planning Commission to enter the above described property for the purposes of gathering information related to this application.

\_\_\_\_\_  
**Signature** of applicant/property owner

\_\_\_\_\_  
Date

# HOMER TOWNSHIP PLANNING COMMISSION

## LAND USE APPLICATION

### GENERAL INFORMATION/COMPLETION GUIDELINES

**1**—It is advisable, but not required, that you discuss the request with the building inspector or the Planning Commission to ensure compliance with requirements prior to completing the application.

**2**—The current fee schedule for each land use checked on the application and the Planning Commission meeting schedule are available on the Township website ([homertownship.org](http://homertownship.org)) as well as at the township hall.

**3**—Seven (7) completed copies of the application and all required supporting materials (site plans, etc) and the associated fee(s) must be received by the Township Clerk at least 2 weeks prior to the scheduled Planning Commission meeting when the review is to take place. The review will not be scheduled without all required materials or if the timeline is not met.

**4**—The applicant will be contacted by the Planning Commission to confirm the date/time that is scheduled for the review. At the scheduled meeting the applicant and the commission will review the application and materials. Unless it is determined that additional materials are needed or unless the applicant requests a delay or extension the requested action will be scheduled for a public hearing. The public hearing is usually scheduled within 30 days of the review and notice is mailed to all property owners within 300 feet of the property named in the application as well as the applicant. A notice of the hearing will also be published in the local newspaper.

**5**—At the public hearing the Planning Commission will receive input from the public on the request and the applicant will have an opportunity to present information and answer questions from the public. The Planning Commission will consider all information presented and make its recommendation on the requested action to the Township Board. The recommendation may be approval, approval with conditions, or denial. The Township Board makes the final decision, generally at its next regularly scheduled meeting. The applicant should plan to attend that Board meeting to respond to any questions.

**In addition to these general guidelines specific information is required for the individual permit or action being requested and MUST also be submitted with the application. Rezoning, site plan & special use guidelines are attached. Article 16 of the Zoning Ordinance has PUD/subdivision guidelines. For land division see Land Division Act on website. The current zoning ordinance is on the township website.**

**HOMER TOWNSHIP PLANNING COMMISSION  
SITE PLAN REVIEW STANDARDS**

The following is provided as a guideline in assisting the applicant to identify specific information required for Planning Commission review. See Article 21 of the current zoning ordinance for details (available on township website: homertownship.org)

- |  | Yes | No | N/A   |
|--|-----|----|-------|
| <b>1</b> —The site plan drawing shall:   |     |    |       |
| a) be not greater than 1 inch = 20 feet or less than 1 inch = 200 feet.  |     |    | _____ |
| b) show all property boundaries and meet dimension requirements, show all adjacent properties with existing use and zoning   |     |    | _____ |
| c) contain name/address of preparer/date prepared/developer  |     |    | _____ |
| d) show north arrow, elevations, topography, all natural features such as: streams, rivers, lakes, ponds, wetlands, etc.   |     |    | _____ |
| e) show existing man-made features such as all utility lines, wells, septic systems, structures, bridges, drains, easements, culverts, etc.  |     |    | _____ |
| f) show location, height, square footage and type of all proposed structures   |     |    | _____ |
| g) show existing & proposed roads, driveways, sidewalks, parking spaces, proposed pedestrian circulation features, utilities, lighting, walls, fencing, landscaping, any proposed alteration to topography and current natural features. |     |    | _____ |

**The site plan was also reviewed considering consistency with all requirements of the zoning ordinance, zoning map, state and federal requirements and focused on the following:**

- |   | Yes | No | N/A   |
|---|-----|----|-------|
| --Consistency with zoning ordinance intent & purpose        |     |    | _____ |
| --General zoning requirements                               |     |    | _____ |
| --Health, Safety & Welfare of adjacent property and persons |     |    | _____ |
| --Facilities & Services                                     |     |    | _____ |
| --Traffic   |     |    | _____ |
| --Surface water drainage                                    |     |    | _____ |
| --Utility service   |     |    | _____ |
| --Advertising features                                      |     |    | _____ |
| --Special features  |     |    | _____ |
| --Flood Plain/Wetland Site                                  |     |    | _____ |

**HOMER TOWNSHIP PLANNING COMMISSION  
SPECIAL USE PERMIT REVIEW STANDARDS**

The following is provided as a guideline in assisting the applicant to identify specific information required for Planning Commission review. See Article 15 of the current zoning ordinance for details (available on township website: homertownship.org). Please note that all special use permit requests also require a site plan.

**GENERAL STANDARDS FOR REVIEWING ALL SPECIAL USE PERMITS**

Y    N    N/A

**1--**Is the proposed site harmonious with and in accordance with the general objectives, intent and purposes of the zoning ordinance? \_\_\_\_\_

**2--**Is the proposed site designed, constructed, operated, maintained and managed so as to be compatible in appearance and use with the environment and the existing/intended use of adjacent land and the natural environment? \_\_\_\_\_

**3--**Is the proposed site served adequately by essential services, utilities, and facilities (ie: police, fire, refuse collection, drainage, etc.) or will the providers of such services in the proposed site be able to meet the needs anticipated in this request (at no added public costs)? \_\_\_\_\_

**4--**Is traffic ingress and egress within/around the site well defined? \_\_\_\_\_

**5--**Will anything in the proposed request be hazardous or disturbing or cause any conflict with existing uses and quiet enjoyment of the surrounding properties? This can include, but is not limited to, areas such as excessive noise, traffic, fumes, smoke, glare, odor, etc.) \_\_\_\_\_

**6--**If anything in the proposal will/could be hazardous/disturbing have plans been presented to mitigate the problem? \_\_\_\_\_

**In addition to these general standards, special use permits must also address all added requirements for the specific use being requested. These specific requirements are identified in Article 15 of the current zoning ordinance.**

**HOMER TOWNSHIP PLANNING COMMISSION  
REZONING REQUEST**

Rezoning requests require a site plan and depending on the request may also require a special use permit. The same rezoning request will not be considered if it was submitted and denied within the past year unless conditions have changed or new information is now available that was not previously submitted. Rezoning approval goes with the land, not the owner. The change in the zoning map is permanent and remains in place regardless of property ownership. Each rezoning request will be reviewed with respect to the following three standards: CONSISTENCY, COMPATIBILITY, CAPABILITY.

**CONSISTENCY**

**Y N N/A**

--Is the rezoning request consistent with the master plan or with recent development trends that should be considered (ie: new developments established, changed economic factors, new traffic patterns, etc.) \_\_\_\_\_

--Is it preferable to rezone rather than locate in another zoned area? \_\_\_\_\_

**COMPATIBILITY**

--Is the rezoning request compatible with the physical & environmental features of the zoning district proposed? \_\_\_\_\_

--Is the rezoning request compatible with the allowed uses in the district proposed in terms of density, traffic, noise, etc.? \_\_\_\_\_

--Is there sufficient infrastructure & service available to accommodate the requested change without compromising the "health, safety & welfare" of the township (streets, water, utilities, etc.)? \_\_\_\_\_

**CAPABILITY**

--Considers whether the property is presently capable of being used as requested or is the change requested more in line with the master plan. Considering all factors presented is it then more appropriate to:

- approve the rezoning request in the district requested \_\_\_\_\_
- recommend the requested use be located in another district \_\_\_\_\_
- recommend amending the uses allowed in the requested district \_\_\_\_\_

**SPOT ZONING**

Is a type of rezoning that is neither positive nor negative. To determine if rezoning is spot zoning ALL of the following characteristics must be met:

Y N N/A

--Applies to a single property, small in size, compared to surrounding properties with the following exceptions: (1) very large properties, regardless of their size in comparison to those in the vicinity, are not considered a spot zoning; (2) properties of the same size pose no 'relativity' and any of properties may be considered for spot zoning. \_\_\_\_\_

--The proposed rezoning allows uses inconsistent with surrounding land use. Inconsistent is not the same as incompatible. \_\_\_\_\_

--The zoning change confers a special benefit on a single property owner not available to others and considers intensity of use and relative property value. \_\_\_\_\_

If ALL of the above are met, this is considered 'spot zoning'. Spot zoning is allowable ONLY IF it does not conflict with the master plan and should be used very infrequently.

**CONDITIONAL REZONING**

This is a process for rezoning property with conditions that the land be used or developed in a certain way. This is a voluntary process that the property owner, not the township, initiates. The land owner must voluntarily offer in writing, and the local government may approve, certain use and development of land as a condition to rezoning the land. The agreement must state:

--The conditional rezoning runs with the land & binds all future owners to its provisions.

--A time frame during which the voluntary offer from the owner must be fulfilled. If the conditions are not met within that time frame a statement that the land 'shall revert' to the previous zoning ( which also will require a public notice and public hearing).

--The exact wording and nature of the voluntary offer in specific terms including site plans, supporting documents, agreements for public improvements, etc.

--A statement that prohibits the township from requiring an owner to offer conditions as a part of the rezoning.

The offer by the property owner should be submitted with the rezoning application and directly related to the rezoning request. Offered conditions cannot permit land use or activity that would not otherwise be allowed in the new zoning district.

**HOMER TOWNSHIP PLANNING COMMISSION  
FORMAL ACTION ON ATTACHED LAND USE APPLICATION**

**1-APPLICATION FOR:**

Rezoning                       Site Plan                       Special Use  
 PUD                                 Subdivision

**2-APPLICANT:**

**3-PARCEL #:**

**4-PUBLIC HEARING DATE:**                      **PLANNING COMMISSION ACTION DATE:**

**5-COMMISSION ACTION:**

**APPROVED**  
 **APPROVED WITH CONDITIONS**  
 **TABLED**  
 **DENIED**

Commission vote: Support:  
  Oppose:  
  Abstain:

**6-CONDITION(S)**

**7-TABLED REASON(S)**

**8-DENIED REASON(S)**

**Planning Commission chairperson signature** \_\_\_\_\_

**Action form & application to Township Clerk on (date)** \_\_\_\_\_

cc: Applicant, Building inspector