



CITY OF SOUTH LYON

335 S. Warren Street ■ South Lyon, Michigan 48178

TEL (248) 437-1735

FAX (248) 486-0049

www.southlyonmi.org

GUIDELINES FOR A SPECIAL LAND USE REQUEST

From City of South Lyon Code of Ordinances, DIVISION 2. - AUTHORITY OF PLANNING COMMISSION:

Sec. 102-66. - Special land uses.

- (a) Whenever a special land use, namely, a use permitted subject to special conditions, is requested pursuant to sections 102-203, 102-233, 102-248, 102-263, 102-278, 102-293, 102-308, 102-323, 102-338, 102-353, 102-367(4), 102-368, 102-384 and 102-432, then the provisions and conditions of this section shall apply in addition to the provisions and conditions of the other aforesaid sections and the following sections.
- (b) The planning commission shall have the authority to grant special land use permits and to attach conditions to a permit. Only those uses listed in sections 102-203, 102-233, 102-248, 102-263, 102-278, 102-293, 102-308, 102-323, 102-338, 102-353, 102-367(4), 102-368, 102-384 and 102-432 shall be considered for special land use permit review and approval.
- (c) Application for a special land use permit shall be made by filing the application form, required information, and required fee with the building inspector. The fee shall be set by resolution by the city council, except that no fee shall be required for a special land use permit application for the construction of a single-family residence or of any governmental body or agency. No part of the fee shall be returnable to the applicant. The building inspector shall transmit a copy of the application and submitted information to the planning commission.
- (d) An application for a special land use permit shall contain the following information:
 1. The applicant's name, address, and telephone number.
 2. The names and addresses of all record owners and proof of ownership.
 3. The applicant's interest in the property, and, if the applicant is not the fee-simple owner, the owner's signed authorization for the application.
 4. Legal description, address, and tax parcel number of the property.
 5. A scaled and accurate survey drawing correlated with a legal description and showing all existing buildings, drives, and other improvements.
 6. A detailed description of the proposed use.
 7. A site plan, if requested by the planning commission, which plan shall meet all the requirements of section 102-131
- (e) The planning commission shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and with respect to any additional standards set forth in this chapter. The planning commission shall find and report adequate data, information, and evidence showing that the proposed use meets all required standards;
 1. Will be harmonious, and in accordance with the objectives, intent, and purpose of this chapter;
 2. Will be compatible with a natural environment and existing and future land uses in the vicinity;
 3. Will be compatible with the city master plans;
 4. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services; and
 5. Will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property, or the public welfare; and

6. Will not create additional requirements at public costs for public facilities and services that will be detrimental to the economic welfare of the community.
- (f) The planning commission shall approve, approve with conditions, or deny special land use permit application. The planning commission's decision, the basis for their decisions, and all conditions imposed, shall be described in a written statement which shall be made a part of the record of the meeting.
 - (g) In granting a special land use permit, the planning commission shall impose any conditions it deems necessary to achieve the objective and standards of this chapter, the standards of the City or Village Zoning Act, and the public health, safety, and welfare of the city. Failure to comply with such conditions shall be considered a violation of this chapter. An approved special land use permit, including all tax conditions, shall run with the parcel in the approval and shall remain unchanged except upon the consent of the planning commission. Any such changes shall be entered into city records and recorded in the minutes of the planning commission meeting at which the action occurred. The procedures required for an original application shall be followed with respect to any proposed changes.
 - (h) An application for a special land use permit which has been denied wholly or in part by the planning commission shall not be resubmitted for a period of 365 days from the date of denial, except on grounds of new evidence or proof of changed conditions found by the planning commission to be valid.
 - (i) A special conditional use approval runs with the land until such time as the use designated in the "approval" is changed by the occupant. The land then reverts back to only the uses permitted in that specific zoning district.
 - (j) The decision of the planning commission with respect to a special land use permit shall not be appealable to the board of appeals. (*Ord. of 2-13-95(2), § 5.695*)

Sec. 102-67. - Hearings; matter to be considered.

In making any recommendations or approvals on special land uses, conditional uses, planned development districts, single-family cluster developments or other matters authorized by law, the planning commission and the city council, where its approval is also required, shall consider and apply the following standards:

1. Whether or not the use involved is consistent with and promotes the intent and purpose of this chapter.
2. Whether or not the use involved is compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use.
3. Whether or not the use involved is consistent with the public health, safety and welfare of the city. (*Ord. of 2-13-95(2), § 5.700*)

Sec. 102-68. - Conditions for approval.

Reasonable conditions may be required in conjunction with the approval of a special land use, conditional use, planned development district, single-family cluster development or other land uses or activities permitted by discretionary decision. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall do the following:

1. Be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
2. Be reasonably compatible with the city's master plan for future land use.
3. Be related to the valid exercise of the policy power and purposes which are affected by the proposed use or activity.
4. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.
5. The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and shall remain unchanged except upon the mutual consent of the approving authority and the landowner. The approving authority shall maintain a record of changes granted in conditions. (*Ord. of 2-13-95(2), § 5.705*)



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APPLICATION FOR SPECIAL LAND USE

APPLICANT INFORMATION

Name of Applicant: _____

Address: _____

Telephone: _____ E-mail: _____

Are you the owner of record for the property of the requested special land use? ____ YES ____ NO

If you are NOT the owner of record for the property of the requested rezoning, please complete the below section PROPERTY OWNER INFORMATION.

PROPERTY OWNER INFORMATION

Name of Property Owner: _____

Address: _____

Telephone: _____ E-mail: _____

LOCATION OF PROPERTY FOR WHICH THIS SPECIAL LAND USE IS REQUESTED

Property Address: _____

Cross Streets: _____ and _____

Parcel ID Number: _____ Lot Size (in acres): _____

Lot Width: _____ Lot Depth: _____

Present Zoning Classification: _____

Requested Zoning Classification: _____

Zoning District of Adjacent Properties to the: North _____ South _____ East _____ West _____

In the area provided or on a separate sheet, please give a detailed description of the proposed land use:

In the area provided or on a separate sheet, explain how the requested Special Land Use meets the required standards as detailed in the City of South Lyon Code of Ordinances, Sec. 102-66.

Specifically, how the requested Special Land Use:

- 1) Will be harmonious, and in accordance with the objectives, intent and purpose of this chapter:

- 2) Will be compatible with a natural environment and existing and future land uses in the vicinity:

- 3) Will be compatible with the city master plans:

- 4) Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services:

- 5) Will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property, or the public welfare:

- 6) Will not create additional requirements at public costs for public facilities and services that will be detrimental to the economic welfare of the community:

OTHER REQUIRED INFORMATION

- 1) The names and address of all record owners AND proof of ownership (i.e. a deed). Deeds can be obtained from Oakland County.
- 2) If applicant is not the owner of the property, the City requires a letter from the owner of record authorizing the applicant to make this application.
- 3) Legal description of property in question.
- 4) A scaled and accurate survey drawing correlated with a legal description showing all existing buildings, drives, and other improvements. Include 15 copies of a parcel map drawn at a scale of not less than 1" = 200' if the parcel is under three acres and 1" = 100' if the parcel is three acres or more.
- 5) A site plan, if requested by the Planning Commission. (Requirements are detailed in Sec. 102-131).

PRINT Name of Applicant

SIGNATURE of Applicant

Date

FOR OFFICE USE ONLY

Date Received: _____ Checked By: _____ Fee Collected: _____