

**CHESHIRE TOWNSHIP
SPECIAL LAND USE PERMIT
APPLICATION AND INFORMATION
PACKET**

June 2024

CHESHIRE TOWNSHIP
INSTRUCTIONS AND PROCEDURES FOR
SPECIAL LAND USE APPLICATION

The Cheshire Township Zoning Ordinance authorizes the Township Planning Commission to approve the establishment of certain land uses listed in the Zoning Ordinance as a “special land use”. All special land use permit requests are subject to the following application instructions and procedures:

1. Applicant files completed application form and all supporting information with Cheshire Township Planning Commission (through Township Clerk), including all pertinent site plans, specifications, and other data upon which the applicant intends to rely. The application form is included in this packet at page 4.
2. Applicant pays required application fee to Township Clerk, or through Zoning Administrator. Note: Cheshire Township has approved an “actual costs incurred” application fee policy on various types of applications (Resolution #2024-2, adopted and effective March 4, 2024). This policy requires payment of a “base application fee”, and for some types of applications also requires payment of an “initial escrow deposit” and sometimes also a “supplemental escrow deposit”. The base application fee on a special land use application is presently \$750.00. An initial escrow deposit of \$1,250.00 is required on a special land use matter the Zoning Administrator determines will likely require significant involvement by the Township Attorney, or planning or engineering consultants; otherwise, an initial escrow deposit is not required. Note: on applications involving wireless communication land uses the total fee is limited by statute to \$1,000.00.
3. Township Clerk refers application submittal to Zoning Administrator for review and to verify submittal is administratively complete.
4. State law and the Zoning Ordinance require Planning Commission to hold a public hearing on the application, preceded by publication of legal notice in newspaper and by mailing to property owners/occupants within 300 feet of the property involved with the application. This public hearing is held as part of a Planning Commission meeting. Township will inform applicant of meeting date application will be considered, and handles all legal requirements relating to required public hearing.

Note: 4-6 regular meetings of the Planning Commission are generally scheduled each year. Special meetings may be scheduled with approval of Planning Commission. Township has an application submittal deadline for each meeting date, to provide sufficient time to have application reviewed by Zoning Administrator, comply with legal notice requirements, and distribute application materials to Planning Commission members prior to meeting.

5. Applicant is expected to attend Planning Commission meeting at which application will be considered and/or have informed representative attend on their behalf (for example, their proposed building contractor or architect).

Applicant must be prepared to explain details of proposed special land use. Applicant has burden of proof on the application, based on criteria specified in Section 13.3 of the Cheshire Township Zoning Ordinance (and, as applicable, specific standards required of particular special land uses specified in Section 13.7 of the Zoning Ordinance).

6. Applicant may expect Planning Commission public hearing/meeting to generally follow this format:

- Planning Commission introduces application and requests initial comments from Zoning Administrator and/or Township Attorney.
- Applicant explains proposed special land use and facts applicant believes show all applicable criteria/standards and other requirements are met.
- General public comments on application.
- Planning Commission discusses request and makes findings of fact relevant to approval criteria/standards.
- Planning Commission makes decision on application.

7. Planning Commission decision options include:

- disapproval of application.
- approval of application (with or without conditions).
- table application for additional information and/or for applicant to consider revising proposed special land use to comply with requirements.

8. If special land use permit is approved, Planning Commission approval of a site plan is also required before the land use can be conducted (and before any associated building permit can be issued). The Township has a separate Site Plan Review Application and Information Packet to assist you with this requirement.

Note: if applicant has submitted a complete site plan review packet with the special land use application, the Planning Commission will ordinarily consider both matters at the same meeting (if the special land use permit is approved).

9. Planning Commission decisions are shown in meeting minutes. All proposed and approved meeting minutes are public records available at Cheshire Township offices in accordance with applicable state laws and Township policies.

Note: Incomplete applications will not be accepted, and no application will be considered complete without payment of application fee in full. Planning Commission also reserves right to request additional information from applicant to give proper consideration to requested special land use.

CHESHIRE TOWNSHIP

SPECIAL LAND USE PERMIT APPLICATION FORM

Name of Applicant: _____ Date: _____

Mailing Address of Applicant: _____

Property Address (including all street addresses within the property of proposed special land use): _____

Property Tax ID Number: _____ Present Zoning: _____

Legal Description: _____ (attach copy of deed or tax bill)

Interest of Applicant in the Property: _____
(Deedholder, Land Contract Purchaser, Lessee, Other)

If Applicant's interest is other than deedholder, does Applicant have consent of deedholder to proposed special land use and this application? Yes ___ No ___

Generally describe proposed special land use, and refer to section of Zoning Ordinance listing the use in the zoning district: _____

Include with the application either a preliminary sketch plan or a formal site plan* of the subject property, and all other information upon which the applicant intends to rely to show all applicable special land use criteria/standards and other requirements are satisfied.

*See separate Site Plan Review Application and Information Packet.

Applicant(s) Telephone Number(s): _____ Signature of Applicant(s): _____

*****FOR TOWNSHIP OFFICE USE ONLY*****

Application #: _____ Hearing date: _____ Amount/form of appl. fee pymt. _____

Planning Commission decision on application at _____ meeting: Approved

Approved with conditions

Disapproved