



# REQUEST FOR ZONING AMENDMENT Application

Please complete the information requested below. The full text describing the process and basis for approvals of requests for zoning amendments can be found in Chapter 94 – Zoning, Article XII Amendments – [click here](#).

## Part 1 - Applicant Information:

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Interest in Property (owner, tenant, option, etc.): \_\_\_\_\_

*Note: If the applicant is anyone other than owner, request must be accompanied by a signed letter of authorization from the owner along with the owner's contact information.*

## Part 2 – Request for Zoning Amendment

\_\_\_ Zoning Text Amendment – Proceed to Part 3    \_\_\_ Zoning Map Amendment (Re-zoning) – Proceed to Part 4

Please briefly summarize your request below. Attach separately a narrative that clearly describes the reason for your request and how you believe it meets the matters to be considered listed in Sec. 94-396(a)(1) through (8) of the City of Mason ordinance, listed at the end of this application package.

### APPLICANT CERTIFICATION

By execution of this application, the person signing represents that the information provided, and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant a right of entry to City officials for the purpose of inspecting the premises to determine compliance with the requirements of the zoning code district requested by the applicant and compliance with conditions precedent to the granting of the zoning district change/text amendment requested.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Part 3 – Zoning Text Amendment

#### Draft of Zoning Text

Please attach separately a draft of the zoning text as you wish for it to be amended and send a copy via email in electronic format. Changes to the existing ordinance should be ‘tracked and highlighted’ to show where changes are being proposed. Staff will format the draft into an ordinance that will be presented to the Planning Commission and City Council.

### Part 4 – Zoning Map Amendment

#### Property Legal Description

This information can be found on your property survey or in the assessor’s record of your property.

Property address: \_\_\_\_\_ Parcel #: \_\_\_\_\_

If in a subdivision: Subdivision Name: \_\_\_\_\_ Lot Number: \_\_\_\_\_

If Metes and Bounds, attach a copy of the full legal description.

#### Site Area

Indicate the size of the site subject to the request for change of zoning:

In square feet (if under one (1) acre): \_\_\_\_\_ In acres (if over one (1) acre): \_\_\_\_\_

#### Master Plan

Future Land Use Designation (from Master Plan): \_\_\_\_\_

Does the proposed Zoning District conform to this designation? ☐ Yes ☐ No

#### Available Services

Public Water ☐ Yes ☐ No Paved Road (Asphalt or Concrete) ☐ Yes ☐ No

Public Sanitary Sewer ☐ Yes ☐ No Public Storm Sewer ☐ Yes ☐ No

*Health Department Certification may be required where public water and/or sanitary sewer are not available.*

#### Current Use:

Are there any structures currently on the property? ☐ Yes ☐ No

If so, describe the number of structures and how the structures are used (attach additional sheets, if necessary):

#### Soil Data

Has soil bearing capacity and septic suitability of the ground been tested? ☐ Yes ☐ No

If so, provide copy. Note: Such testing may be required if conditions warrant.

#### Plot Plan

The Plot Plan shall be drawn to a readable scale and shall show all of the following information:

- Existing structures and parking areas, with setback dimensions from property lines
- Survey pins or monuments
- All easements on the property
- Overhead and underground utilities
- Floodplain and wetlands
- Topography (where land characteristics have a bearing on the request)
- Surface drainage, indicated by directional arrows
- Existing zoning and use of surrounding properties

### Application Checklist

The following is a checklist of items that generally must be submitted with applications for Zoning Amendments. Pre-application phone consultations are recommended, as incomplete applications may result in delays.

- Completed application form
- Fee - \$300\*
- Narrative – Present a description of your request and how the proposed change will meet the criteria listed in Sec. 94-396(a)(1) through (8) of the City of Mason ordinance.
- Proof of ownership or owner authorization for Zoning Map Amendments only

NOTE: Upon request, staff may require additional information if deemed necessary to make a determination.

\*Zoning Map Amendments may also require additional review by the City Engineer. Applicants may be billed separately for an Engineering Review Fee of \$220.00 –Minimum Two-hour fee for projects increasing demand on public utilities. Actual fees incurred are billed to applicant upon completion of review.

### Application Deadlines

The 2022-23 application deadlines are as follows

Deadline	Planning Commission Meeting	<p><b>Need an extra day or two?</b> Contact staff. We will always do our best to accommodate you.</p> <p><b>Pre-application</b> advisory discussions with staff are encouraged. Contact us for more information at <b>517-676-9155</b>.</p>
July 8, 2022	August 9, 2022	
August 5, 2022	September 13, 2022	
September 9, 2022	October 11, 2022	
October 7, 2022	November 15, 2022	
November 4, 2022	December 13, 2022	
December 9, 2022	January 10, 2023	
January 6, 2023	February 14, 2023	
February 3, 2023	March 14, 2023	
March 3, 2023	April 11, 2023	
April 7, 2023	May 9, 2023	
May 5, 2023	June 13, 2023	

### Next Steps – Review Process

What to expect after we receive your application:

- A public hearing by the Planning Commission and two readings by City Council are required. If approved, the proposed amendment will be effective on the date of publication in the newspaper, typically the Sunday following the second reading and adoption by City Council.
- Within 10 days of receiving your application, we will notify you if we find your application incomplete and need more information. Once complete, we will let you know the date of the next available Planning Commission meeting for the public hearing, and when the first and second reading of City Council will be scheduled.
- Complete applications are circulated to City of Mason departments including Police, Fire, Department of Public Works, City Engineer, and City Manager. The materials are also required to be sent to those outside agencies who may be impacted or have jurisdiction over portions of the project which include but are not limited to adjacent townships, railroads, Mason Public Schools, Consumers Energy, the Ingham County Drain Commissioner, Michigan Department of Transportation/Aviation, and/or the Ingham County Road Department.
- The City must publish a public hearing notice in the local paper and mail the notice to abutters within 300 feet of the project a minimum of 15 days prior to the public hearing.

- The applicant will receive a DRAFT staff report approximately 2 weeks prior to the scheduled Planning Commission meeting for review and discussion with staff. Additional meetings may be requested prior to the staff report as necessary to confirm information about the proposal.
- The staff report will be revised, distributed to the Planning Commission and City Council, and posted on the City's website no less than 48 hours prior to the meeting but usually by the Friday preceding the meeting.
- The City Council and Planning Commission will review and discuss the proposal at the scheduled times. The applicant should be prepared to attend and make a brief presentation that the proposal meets the City's requirements as outlined in their narrative.
- The Planning Commission has the following options for action:
  - Recommendation that City Council adopt the proposed ordinance approving the requested changes
  - Continue to a time and date certain to allow for revisions or more information
  - Recommendation that City Council not adopt the proposed ordinance effectively denying the requested changes
- City Council has the following options for action:
  - Accept the recommendation of the Planning Commission and vote in favor of or against adoption
  - Hold an additional public hearing if it considers necessary, or otherwise required by law
  - Refer the matter back to the planning commission for further report if further changes are desirable, which are in addition to, or departures from the proposed amendment
- Once the project is approved, the applicant may proceed with obtaining any necessary zoning or construction permits.

### **Compliance with City Ordinances**

Applicants have the burden of proof to demonstrate that their proposal complies with the City's ordinances. Staff may request additional information as necessary to determine if the ordinances are being met. The requested narrative attached to the application is very helpful to describe the project and walk staff and the Commissioners through your request and how the proposed changes meet the requirements.

Staff can provide examples of previous applications upon request, or visit the Planning Commission's webpage here: [https://www.mason.mi.us/your\\_government/planning\\_commission/agendas\\_&\\_minutes.php](https://www.mason.mi.us/your_government/planning_commission/agendas_&_minutes.php)

## MATTERS TO BE CONSIDERED FOR APPROVAL

As referenced in Part 2 of this application.

### Sec. 94-396. Planning commission recommendations.

(a) In reviewing any application for an amendment to this chapter, the planning commission shall identify and evaluate all factors relevant to the application and shall report its finding in full along with its recommendations for disposition of the application, to the city council within 60 days of receipt of an application or proposed amendment. The matters to be considered by the planning commission shall include the following findings of fact:

- (1) Compliance with the master plan of the city.
- (2) What, if any, identifiable conditions related to the proposed amendment have changed which justify the proposed amendment?
- (3) What, if any, error in judgment, procedure or administration was made in the original chapter which justifies the petitioner's change in zoning?
- (4) What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?
- (5) What is the impact of the amendment on the ability of the city and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the petition is approved?
- (6) Does the proposed amendment adversely affect the value of the surrounding property?
- (7) Are there any significant negative environmental impacts which would reasonably occur if the petitioned zoning change and resulting allowed structures were built? Examples include:
  - a. Surface water drainage problems.
  - b. Wastewater disposal problems.
  - c. Adverse effect on surface or subsurface water quality.
  - d. The loss of valuable natural resources, such as forest, wetlands, historic sites, wildlife, mineral deposits or valuable agricultural land
- (8) The ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located

**Resources:** More Questions? Please contact our Customer Service Desk at 517.676.9155 or [info@mason.mi.us](mailto:info@mason.mi.us).