

CHARTER TOWNSHIP OF SOUTH HAVEN

VAN BUREN COUNTY, MICHIGAN
09761 BLUE STAR MEMORIAL HIGHWAY
SOUTH HAVEN, MICHIGAN 49090
TELEPHONE (616) 637-3305, FACSIMILE (616) 637-6250

SPECIAL USE APPLICATION PROCEDURES

NOTE TO APPLICANT: The use that you wish to propose for your property is listed in the Zoning Ordinance as a Special Use. This means that in this particular zoning district your proposed use has the potential to be a nuisance to surrounding property owners. The potential for nuisance is considered to be so great that it could prevent neighboring property owners from fully enjoying the use of their properties. Potential nuisances include but are not limited to: excessive noise, vibrations or odors; excessive traffic or congestion; negative visual or aesthetic impacts; negative property value impacts; environmental contamination; and other similar problems.

On the other hand, the Township has determined that there is a need in the zoning district for the type of use that you propose. The Township is willing to allow you to establish this type of use so long as you abide by the additional conditions listed in the Zoning Ordinance for that use. These listed conditions may include broad classes of protective options which need to be negotiated with the Township Planning Commission and with the Township Board. These negotiations must only take place in a formal public hearing.

1. Obtain the following forms from the Township Zoning Administrator:
 - APPLICATION FOR SPECIAL LAND USE PERMIT
 - APPLICATION FOR ZONING PERMIT

These must be completely filled out and returned to the Zoning Administrator with the required fee (check with the Zoning Administrator for the fee amount).

2. Obtain a copy of the sections of the ZONING ORDINANCE, which deal with your intended use, from the Township Clerk, and go over the requirements for the zoning district and for the Special Use with the Zoning Administrator. Be sure to check the chapters on Site Plan Review and Parking (the Zoning Administrator may suggest other sections which apply).
3. Obtain the SITE PLAN REVIEW CHECKLIST from the Zoning Administrator. Your site plan must show all of the items listed. Please Note: Plans for certain uses must be prepared by a professional architect, surveyor or engineer.
4. The following reviews must be obtained. The Township will transmit your plans to each of these agencies, however, if you have a time problem you can submit your site plan directly to these agencies for review:
 - Van Buren County Drain Commissioner
 - either Van Buren County Road Commission, or, Michigan Department of Transportation (driveway permits & private road intersections)
 - South Haven Fire Chief
 - South Haven Sewer & Water Authority [or Township Engineer]
 - South Haven Electric Utility manager (large projects only)

5. Once you have completed the required forms, prepared the site plan and obtained any additional supporting documents, submit 14 copies of the site plan to the Zoning Administrator at least 13 days (by noon on the Friday two weeks prior) before the Planning Commission meeting (first Thursday of each month). You must include the fee. The 14 copies include those we will send to the agencies listed in #4 above so let us know if you have already delivered these.
6. You must appear at the Planning Commission meeting. This can be treated as a Preliminary Site Plan Review meeting so long as the Chairman is informed before hand and proper notice is given to the public. A special meeting can also be called for a preliminary review so long as the special meeting fee is paid and the Clerk is able to post a notice on the door of the Township Hall 18 hours before hand. **NO DECISIONS CAN BE MADE AT THIS MEETING, and, NO COMMENTS MADE BY THE PLANNING COMMISSION OR INDIVIDUAL MEMBERS AT THIS MEETING ARE BINDING.** The Planning Commission will set a public hearing date - usually at the next regularly scheduled Planning Commission meeting so that the statutory notices can be published.
7. At the second Planning Commission meeting a Public Hearing will be held. You will be given time to present your site plan and then the floor will be open to the public to address the Planning Commission. All questions and answers must go through the Planning Commission Chairman. After the Public Hearing is closed the Planning Commission can do one of three things:
 - recommend approval of your plan
 - recommend tentative approval with conditions
 - recommend denial of your application with reasons.
 - table consideration for 30 days to give you a chance to make changes in order to avoid having your application denied and/or to give the Planning Commission time to research any issues which may arise.If your plan is approved, you and the Planning Commission chairperson must sign two (2) copies of the site plan, one for the Township Clerk and the other for the Zoning Administrator
8. Your application will be given to the Township Board at their next scheduled meeting (the second Wednesday of each month). At that meeting the Board can:
 - approve your plan
 - approve your plan with conditions
 - deny your application
 - table your application for further information

9. Once you have Township Board approval you must obtain a Zoning/Building Permit within six (6) months and you must begin construction or start the operation within one (1) year or approval will expire.
10. If you need to amend the site plan:
 - only minor changes can be approved by the Zoning Administrator
 - major changes must be approved by both the Planning Commission and the Township Board.

The Zoning Ordinance has specific definitions of major and minor changes. The fee for a Special Use site plan amendment is for site plan review only, so long as the amendment is not a change of the Special Use itself (which has already been approved).