



If remodeling, addition(s), or a new building(s) is planned, what type of construction will be used? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is there going to be on-site storage of materials? Yes No

If yes, please list: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The hours of operation will be between \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m. Monday - Friday.

Saturday \_\_\_\_\_ to \_\_\_\_\_, Sunday \_\_\_\_\_ to \_\_\_\_\_,

Other (*explain*) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is the proposed use seasonal? Yes No

Would additional Utilities be needed?

Electric \_\_\_\_\_ N. Gas \_\_\_\_\_ Water \_\_\_\_\_ Sewer \_\_\_\_\_

Do you plan to hire employees? Yes No

Full Time \_\_\_\_\_ Part Time \_\_\_\_\_ Other (*explain*) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What equipment will be needed? (*machines, tools, lighting, ect.*) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Will customers be coming to your property? Yes No

Will the proposed use be detrimental to the public welfare or injurious to property or improvements in the neighborhood? \_\_\_\_\_

The undersigned acknowledges that if a Special Land Use Permit is granted or other decisions favorable to the undersigned are rendered, the said decision does not relieve the applicant from compliance with all other provisions of the Lake Charter Township Zoning Ordinance.

The undersigned hereby grants permission for the members of the Lake Charter Township Planning Commission to enter the above described property (or as described in the attached) for purposes of gathering information related to this request.

The undersigned affirms that he/she or we is/are the \_\_\_\_\_ (owner, lessee, or other type of interest) and that the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

Applicant Signature(s) \_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_

**SITE PLAN**

Is drawing to scale? Yes \_\_\_\_\_ = \_\_\_\_\_ No

Show all public / private roads.

Show proposed driveways.

Draw arrow pointing north.

---

---

Date

---

Required Signature

## Chapter 16

### Special Land Uses

#### Section 16.01 Purpose

Special Land Uses are uses of land which are essentially compatible with the uses permitted in a Zoning District, but possess characteristics or locational qualities which require individual review and restriction in order to avoid incompatibility with the natural environment of the site, the character of the surrounding area, public services and facilities, and adjacent uses of land. The purpose of this Chapter is to establish equitable procedures and criteria, which shall be applied in the determination of requests to establish special land uses. The standards for approval and requirements provided for under the provisions of this Chapter shall be in addition to those required elsewhere in this Ordinance which are applicable to the special land use under consideration. This Chapter hereby requires the Lake Township Planning Commission to issue Special Land Use Permits, provided:

- A. The proposed use is one listed as a special land use for that district in which said use is proposed to be located; and
- B. The Planning Commission insures before approving a Special Land Use Permit request that both:
  - 1. The standards of the district in which the special land use is to be located are fulfilled; and
  - 2. The standards or other requirements of this Chapter and this Ordinance are fully met.

#### Section 16.02 Application Procedures

An application for permission to establish a special land use shall be submitted and acted upon in accordance with the following procedures:

- A. Any person owning or having an interest (with the written approval of the owner) in the subject property may file an application for one (1) Special Land Use Permit provided for in this Ordinance in the Zoning District in which the land is situated. Only one (1) Special Land Use shall be permitted per parcel at any given time.
- B. Complete applications for Special Land Use Permits shall be submitted through the Zoning Administrator to the Planning Commission thirty (30) days prior to consideration on the Planning Commission agenda. Each application shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by the Township Board to cover the costs of processing the application.
- C. Twelve (12) copies of an application for a Special Land Use Permit shall be presented to the Zoning Administrator, unless otherwise specified by the Zoning Administrator, and accompanied by, but not limited to, the following documents and information:

1. A Special Land Use Permit application form supplied by the Zoning Administrator, which has been completed in full by the applicant.
  2. A site plan in conformance with Chapter 17 of this Ordinance.
  3. A narrative statement and other evidence or proof by the applicant of present and future compliance with the standards required for approval in Section 16.03 and the applicable specific standards within 16.08-16.51, and other standards imposed by this Ordinance affecting the Special Land Use under consideration. The narrative shall include a written response to each standard.
- D. An application which is determined by the Zoning Administrator to be incomplete or otherwise not in compliance with this Ordinance, shall be returned by the Zoning Administrator to the applicant. No application shall be processed until properly prepared and submitted and all required fees paid in full.
- E. Procedures for processing special use applications. After determining that the application is complete, the Zoning Administrator shall forward complete copies of the application for the Special Land Use request to the Planning Commission for the next available Planning Commission meeting. Upon receipt of the Special Land Use complete application, the Planning Commission or the Zoning Administrator shall set the public hearing date and notice the hearing in accordance with the requirements of Section 19.03.
- F. With the exception of a Planned Unit Development, the review of an application and site plan requesting a Special Land Use Permit shall be made by the Planning Commission in accordance with the procedures and standards specified in this chapter. A site plan and application for a Special Land Use Permit shall be approved by the Planning Commission if it complies in all respects with the requirements of this Ordinance and other applicable county, state or federal laws, rules or regulations. Approval and issuance of a Special Land Use Permit shall signify approval of the application and site plan, including any modification and any conditions imposed where necessary to comply with this Ordinance. The site plan, as approved, and any statements of conditions and modifications shall become part of the Special Land Use Permit and shall be enforceable. The decision to approve or deny a request for a Special Land Use Permit shall be retained as a part of the record of action on the request and shall incorporate a statement of conclusions which specify; the basis for the decision, any changes to the originally submitted applications and site plan necessary to insure compliance with the Ordinance, and any conditions imposed with approval.
- G. For a Planned Unit Development, the Planning Commission, following the public hearing, shall submit to the Township Board a recommendation for approval, denial, or approval with conditions, including their findings regarding compliance with Sections 16.03 and 16.08. Prior to final approval by the Township Board, the Township Board shall also hold a public hearing in accordance with Section 19.03. Township Board shall have final approval authority for Planned Unit Developments, in accordance with the procedures of this Chapter.
- H. Any person, firm, corporation or department, board or bureau of the Township aggrieved by the decision of the Planning Commission or Township Board in the case of a decision regarding a Planned Unit Development or Special Land Uses shall forward such grievances to the Zoning Board of Appeals.

**Section 16.03 Special Land Use General Standards**

A. The Planning Commission shall review the particular circumstances of the special land use request under consideration in terms of the following general standards, and approve a special land use request only upon a finding of compliance with each of the following standards, the Specific Requirements of Section 16.08, as well as applicable standards established elsewhere in this Ordinance.

1. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
2. The special land use shall not inappropriately change the essential character of the surrounding area.
3. The special land use shall not interfere with the general enjoyment of adjacent property.
4. The special land use shall represent an improvement to the use or character of the property under consideration and the surrounding area in general, yet also be in keeping with the natural environment of the site.
5. The special land use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.
6. The special land use shall not place demands on public services and facilities in excess of available capacity and be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed special land use shall be able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration.
7. The special land use shall be consistent with the intent and purpose of this Ordinance, and the objectives of any currently adopted Township Master Plan.
8. Applicable special land use standards are met as provided in sections 16.09-16.51.
9. The special land use shall include a plan for the removal and restoration of the site should any hazardous materials be used or stored as part of the special land use.

B. The Planning Commission or Township Board, as applicable, may impose reasonable conditions with the approval of a special land use application and site plan which are necessary to insure compliance with the standards for approval stated in this section, Section 16.08, and any other applicable Township Ordinances and regulations. The conditions shall be considered an integral part of the Special Land Use Permit and the approved site plan and shall be enforced by the Zoning Administrator. The conditions may include those necessary to ensure that the standards for approval stated in this section, Section 16.08, and any other applicable Township Ordinances and regulations are met. The Planning Commission or Township Board may require a surety, bond or performance guarantee to cover any costs associated with removing any buildings or structures which would not otherwise be permitted in the underlying zoning district.

C. In authorizing a Special Land Use Permit, the Planning Commission or Township Board, as applicable, may require that a performance guarantee be furnished by the

developer to insure compliance with an approved site plan and the Special Land Use Permit requirements. Such guarantee shall be deposited with the Township Clerk at the time of the issuance of the Special Land Use Permit.

**Section 16.04**      **Effective Date**

Upon approval by the Planning Commission or Township Board, as applicable, the Zoning Administrator shall issue a Special Land Use Permit to the applicant provided that all conditions have been met and any outstanding fees are paid in full. It shall be the responsibility of the Zoning Administrator to monitor compliance with the terms, conditions and restrictions of any Special Use Permit and take any enforcement action necessary in the event of a violation of the Special Land Use Permit.

- A. A building permit shall not be issued until approval of such Special Land Use Permit by the Planning Commission or Township Board, as applicable and all conditions of approval have been met.
- B. Until a building permit has been granted pursuant to the Special Land Use Permit, there shall be no construction of said land.
- C. Land subject to a Special Land Use Permit may not be used or occupied for purposes of such special land use until after a certificate of occupancy has been issued pursuant to the provisions of this Ordinance.

**Section 16.05**      **Permit Validity**

- A. Approval of a Special Land Use Permit shall be valid regardless of change of ownership, provided that any subsequent owner meets all terms and conditions of the permit.
- B. In instances where development authorized by a Special Land Use Permit has not commenced within one (1) year from the date of approval unless the Applicant requests, and the Planning Commission approves an extension of up to one (1) year. In considering such extension, the Planning Commission shall find that there have been no changed conditions on the property, the surrounding area, or in provisions of this Ordinance applicable to the Special Land Use Permit, that such permit is no longer in conformance with the requirements of this Ordinance.
- C. No application for a special land use permit which has been denied wholly or in part by the Planning Commission or Township Board, as applicable shall not be resubmitted until the expiration of one (1) year or from the date of denial, except on the grounds of newly discovered evidence or proof of change of conditions.

**Section 16.06**      **Requirement for Compliance – Penalties**

It shall be the duty and obligation of the owner(s) and occupant(s) or operator(s) of land and uses subject to a Special Land Use Permit and approved site plan therefore, that the continued use of such land shall at all times be in compliance with the use requirements of this Ordinance. Failure thereof shall be violation of this Ordinance and subject to the penalties and remedies provided in this Ordinance and the continuance thereof is declared to be a nuisance per se.



## CHAPTER 17

### Site Plan Review

#### Section 17.01      Intent

- A. The intent of requiring site plan submittal and review in certain instances specified herein is to facilitate determination of whether certain development proposals meet all applicable requirements and are in harmony with the purpose, intent and spirit of this ordinance.
- B. It is further the intent to assist township officials in encouraging and assisting proposers of land development to design and implement land use proposals which foster orderly, efficient, compatible and aesthetic uses of land in Lake Township.

#### Section 17.02      When Required

- A. A site plan shall be prepared for any permitted use, Special Land Use, or Variance in accordance with Sections 17.03 and 17.04. Exempt from this requirement are:
  - 1. Single-family dwellings
  - 2. Farm or farm operation
  - 3. Home occupation
  - 4. Family day care homes
  - 5. Family adult day care homes
  - 6. Foster family home
- B. The Planning Commission, at its discretion, may waive the requirements for site plans for each request submitted where it determines that the required information would not be relevant to the site or the proposed land use.

#### Section 17.03      Contents

- A. A required site plan shall be drawn at a scale which does not exceed 1 inch equals 100 feet and shall contain the following information:
  - 1. Applicant name, address and parcel number. The boundary lines of the area included in the site plan, including angles, dimensions and reference to a section corner, quarter corner or point on a recorded plat, an arrow pointing north, and the individual lot areas and dimensions of the land included in the site plan and within one hundred (100) feet of the subject site.
  - 2. Existing and proposed topography, drainage systems, drainage calculations, and structures, with topographic contour intervals of not more than 2 feet.
  - 3. The shape, size and location of all structures on the lot including yard dimensions, fences, height, floor area and the finish grade.
  - 4. Natural features such as wooded lots, streams and lakes or ponds, and man-made features such as existing roads and structures, with indication as to which

features are to be retained and which removed or altered. Adjacent properties and their uses shall be identified.

5. Proposed streets, driveways, parking spaces, curb cuts, loading spaces and sidewalks, with indication of direction of travel for one-way streets and drives and the inside radius of all curves. The width of streets, driveways and sidewalks, and the total number and layout of parking spaces shall be shown.
6. The size and location of all existing and proposed public and private utilities, drainage calculations, signage, lighting and landscaping. Information to be included is number, size, spacing, brightness, height, etc.
7. Review from the Department of Environmental Quality relating to Floodplains, Critical Dunes, Wetlands, etc., when required.
8. A vicinity sketch showing location of the site in relation to the surrounding street system and uses within 100 feet.
9. A legal description of the land and lots included in the site plan.
10. Any other information necessary to establish compliance with this and any other ordinances and the availability of adequate utility capacity.
11. The name, signature, title and mailing address of the person who prepared the site plan. A site plan for any development of 1 acre or more in land area shall be prepared by a registered architect, engineer, professional community planner or land surveyor. A site plan for a development of less than 1 acre may, at the discretion of the Zoning Administrator, be prepared by a qualified person who is not a registered architect, engineer, professional community planner or land surveyor.

**Section 17.04      Review Process and Approval**

- A. A minimum of ten copies along with any required site plan shall be submitted of original quality, to the Zoning Administrator along with a cover letter signed by the owner of the land, designated agent and/or prospective developer providing an explanation and background information on the proposed development along with all necessary fees and documents required by this Ordinance. All applicants are encouraged to confer informally with the Planning Commission before any documents for application are prepared.
  1. The site plan and any accompanying documents shall be forwarded to the Planning Commission for its consideration at its next regular meeting, provided such application has been received by the Zoning Administrator at least thirty (30) days prior to the regular meeting of the Planning Commission. If not received within this time schedule, the site plan will be considered at a subsequent meeting. The Zoning Administrator shall not forward the site plan and supplemental documents to the Planning Commission until the applicant's submittal is deemed sufficiently complete.

2. The Planning Commission shall examine the site plan as to proper form and content and particularly as to compliance with all applicable requirements of this ordinance.
  - B. If the proposed development does not require the issuance of a Special Land Use Permit or Variance by the Board of Appeals, within 30 days after receipt, the Planning Commission shall cause notice in writing to the proposer of the development of the approval or disapproval of the site plan. If the site plan is disapproved, the reasons therefore shall be given. Such disapproval shall be limited to inadequacy or defect in form or content and/or noncompliance with identified applicable provisions of this ordinance.
  - C. If the proposed development requires issuance of a Special Land Use Permit, the Planning Commission shall follow the Special Land Use procedure as provided in Chapter 16. The proposer of the development shall be notified of the status of his requested site plan approval.
  - D. If any Variances from the requirements of this ordinance are needed for a particular site, a decision on such variances shall be rendered by the Zoning Board of Appeals under the terms of Chapter 18 prior to any decision by the Planning Commission on a proposed site plan. If Variances have already been obtained from the Zoning Board of Appeals concerning the subject property, the minutes concerning the Variances, duly signed, shall also be filed with the Township records as a part of the site plan.