

Bainbridge Township Berrien County, Michigan



7315 Territorial Road, Watervliet, MI 49098
Phone: 269-468-8040/Fax: 269-468-3498

Rodney Winkel, Supervisor
Patty Hiler-Molter, Clerk
Nancy Weber, Treasurer

PLANNED UNIT DEVELOPMENT Article XVII

Applications for a Planned Unit Development shall be submitted through the Zoning Administrator to the Planning Commission accompanied by a \$100.00 filing fee due at time of filing and an additional \$400.00 to be paid prior to scheduling of the Public Hearing (total application fee \$500.00). Checks should be payable to “Bainbridge Township”.

Include the following:

1. Application.
2. Rezoning Application if applicable.
3. Site Plan:
 - a. A preliminary site plan prepared in accordance with Article XI (11). Additional information required – see Attachment A.
 - b. Prior to the public hearing a final site plan is required, accompanied by a \$400.00 filing fee. The site plan must be prepared in accordance with Article XI (11). Additional information required – see Attachment B.
4. Copy of current paid tax bill, deed, or other proof of ownership, which includes a legal description of the property, property tax number and proof of taxes paid on said property.
5. Statement of Compliance.
6. Request for Public Hearing.
7. Land Division Application.
8. Private Road Application.

The applicant should attend the Planning Commission Meeting and Public Hearing to answer any questions that may arise. If a special meeting of the Planning Commission is requested, a charge for \$500.00 is required to defray Township expenses.

ATTACHMENT A

Additional preliminary scaled site plan requirements are as follows:

1. Such detail as to indicate the functional uses and types of units being requested, the densities being proposed, and the system of collector street being proposed, if any, and sites being reserved for open spaces.
2. An indication of the contemplated storm water and sanitary utility plan and a preliminary indication of how the topography is to be handled.
3. A boundary survey of the exact acreage being requested and the relationship of the tract of land involved to surrounding property.
4. A written statement explaining in detail the full extent to which trees, top soil, ground cover, etc. is to be removed, relocated and/or retained in accordance with the progress of the development.
5. A site plan prepared in accordance with Article XI (11) and in addition:
 - a. On the site plan there shall be the proposed schedule of: usable floor areas and land areas by category of use, building ground coverage, square feet net lot area and preserved open space per dwelling unit, number of parking spaces and such other information necessary to satisfy the intent and requirements of this Article.
 - b. A declaration of restrictions to be placed on a property when subdivided to assure the planned character and uses will be preserved and protected.

ATTACHMENT B

A final site plan for the entire development area carried out in such detail as to indicate the functional uses and types of units being requested, the densities being proposed and the system of collector streets being proposed, if any, and sites being reserved for open spaces and shall include:

1. Location and dimensions of the affected property including legal description.
2. All existing proposed utility easements, including septic and well where applicable.
3. Location, arrangements, numbers and dimensions of all existing and proposed parking facilities, turning spaces, drives, aisles and pedestrian walkways and truck loading facilities within the property.
4. Size, location and setbacks of all existing and proposed structures within the property and abutting the property.
5. The location, dimensions and capacity of all proposed drainage structures.
6. The location and dimensions (height, width, area of face of sign), of all proposed signs.
7. The location and dimension and capacity of any watercourse(s) which conducts an intermittent or ephemeral flow.
8. Location, dimensions and materials used for proposed landscaping.
9. Architectural sketches of a general statement as to the type of construction and materials to be used in the proposed building.
10. The acquisition of any necessary permits, and written statements of test results, such as perk tests, that would be required by the Public Health Department and a written statement meeting the requirements, if any, by the Berrien County Road Commission that pertains to said project.
11. A declaration of restrictions to be placed on a property when subdivided to assure the planned character and uses will be preserved and protected.

APPLICATION FOR PUD

Applicant Name: _____

(Address) (City) (State) (Zip)

Home Phone #: _____ Work/Mobile Phone #: _____

Tax Code Number: 11-01- _____ - _____ - _____ - _____ Zoned District: _____

Name and address of every person, firm or corporation having a legal or equitable interest in the land:

1. _____
2. _____
3. _____
4. _____
5. _____

Name and address of any person, firm or corporation executing the development of this land:

1. _____
2. _____
3. _____
4. _____
5. _____

Describe PUD requested:

Written statement serving the nature of the proposed PUD, the reasons for its use, and how it services the Township Master Plan:

Legal description, showing location and acreage of the property:

Existing zoning classification:

An estimated construction timetable of said project:

List professional qualifications and or prior experience of applicant to execute a PUD:

List permits needed to be obtained for said project:

List common space provisions (financial, maintenance, ownership, taxes, etc.):

List any deed restrictions:

Until a permit has been granted pursuant to the Special Land Use Permit, there shall be no construction or excavation of said land nor shall use of the land be made toward the intended purposes of such Special Land Use Permit.

Signed: _____ Date: _____

STATEMENT OF COMPLIANCE

1. I represent that the enclosed application will comply with the following General Standards:
 - a. 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.
 - b. The special land use shall not inappropriately change the essential character of the surrounding area.
 - c. The special land use shall not interfere with the general enjoyment of adjacent property.
 - d. 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.
 - e. The special land use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.
 - f. The special land use shall 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 use under consideration.
 - g. The special land use shall not place demands on public services and facilities in excess of available capacity.
 - h. The special land use shall be consistent with the intent and purpose of this Ordinance, and the objectives of any currently adopted Bainbridge Township Development Plan.

Describe in detail any and all modifications from the underlying zoning district requested as part of this application:

Signature of Applicant: _____ / Date: _____

**PUBLIC HEARING REQUEST
FOR SPECIAL LAND USE PERMIT**

11-01- _____ - _____ - _____ - _____
Property Tax Code Number

I hereby request a public hearing for the purpose of securing a Special Land Use Permit for property described by the property tax code number shown above.

The address of this property is:

(Address) (City) (State) (Zip)

The requested Planned Unit Development is:

I enclosed proof of ownership, land division application, PUD application, site plan, proof of ownership and legal description of the property, proof of paid taxes, a list of names and addresses of the owners of property within 300 feet of the property covered by this application, and a statement of compliance. If a hearing is granted, I will submit a final site plan and a \$400.00 filing fee.

I further grant site plan reviewers right to enter above said property.

(Name of applicant)

(Street and Number)

(City) (State) (Zip)

(Signature) / _____
(Date)

ARTICLE XI

Site Plan and Scaled Drawing Requirements

Section 11.01 - Intent

- A. The intent of requiring site plan or scaled drawing 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 Bainbridge Township.

Section 11.02 - When Required

- A. Variance or Special Land Use – Except for Single-Family, Two-Family: A site plan shall be prepared and submitted in accordance with Sections 11.03 A. and 11.04 with any application for:
 - 1. Variance or Special Land Use Permit, other than for a Special Land Use Permit for a Home Occupation;
 - 2. With any application for Rezoning, other than Rezoning for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use;
 - 3. With any application for a Zoning Compliance Permit or Building Permit, other than for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use or accessory use thereto; and
 - 4. With any application for a Planned Unit Development or Condominium.
- B. Rezoning – Single-Family, Two-Family: A scaled drawing shall be prepared for the sole purpose of constructing a single-family, two-family or agricultural permitted principal use or accessory use thereto and submitted in accordance with Sections 11.03 B. and 11.04 with any application for:
 - 1. Rezoning;
 - 2. Zoning Compliance Permit;
 - 3. Building Permit; or
 - 4. Variance.

Section 11.03 - Contents

- A. A required site plan shall be drawn at a scale of one (1) inch equals one hundred (100) feet and shall contain the following information:
1. 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.
 2. Existing and proposed topography, drainage systems, and structures, with topographic contour intervals of not more than two (2) feet.
 3. The shape, size and location of all structures on the lot including yard dimensions, height, floor area and ground coverage ratios and the finished ground and basement floor grades.
 4. Natural features such as wood lots, trees of more than one (1) foot in diameter, 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 and required landscaping.
 7. A vicinity sketch showing location of the site in relation to the surrounding street system.
 8. A legal description of the land and lots included in the site plan.
 9. Any other information necessary to establish compliance with this and any other ordinances.
 10. 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 shall be prepared by a registered architect, engineer, professional community planner or land surveyor.
- B. A required scaled drawing shall be drawn at a scale appropriate to the dimensions of development and shall contain the following information:
1. A legal description of the land involved.

2. A vicinity sketch showing location of the site in relation to the surrounding street system.
3. The size and location of all structures proposed for and presently located on the site.
4. The boundary lines of the parcel of land involved including dimensions and an arrow pointing north.
5. Proposed streets and driveways. The width of streets and driveways shall be shown.
6. Any other information necessary to establish compliance with this and any other ordinances.
7. The name, signature and mailing address of the person who prepared the scaled drawing.

Section 11.04 - Review Process and Approval

- A. Any required site plan or scaled drawing shall be submitted, of original quality, to the Zoning Administrator along with a cover letter signed by the owner of the land and/or prospective developer providing a general explanation and background information on the proposed development.
- B. The Zoning Administrator shall examine the site plan or scaled drawing as to proper form and content and particularly as to compliance with all applicable requirements of this Ordinance.
- C. If the proposed development does not require the issuance of a Special Land Use Permit by the Planning Commission, Variance by the Board of Appeals or a Rezoning of land by the Township Board, within thirty (30) days after receipt the Zoning Administrator shall notify in writing the proposer of the development of the approval or disapproval of the site plan or scaled drawing. If the site plan or scaled drawing 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. The Zoning Administrator may, at his discretion, request consultation with the Planning Commission prior to his approval or disapproval of the site plan.
- D. If the proposed development requires issuance of a Special Land Use Permit, the Zoning Administrator shall transmit his findings as described in paragraph C. above, to the Planning Commission along with a copy of the site plan and covering letter. The proposer of the development shall be notified of the status of his requested site plan approval.
- E. If the proposed development requires a rezoning of land, the Zoning Administrator shall transmit his findings as described in paragraph C., above, to the Township Board which shall follow the amendment procedure as provided in Article XV (15). The site plan or

scaled drawing and cover letter shall accompany the Zoning Administrator's findings. The proposer of the development shall be notified of the status of his requested site plan or scaled drawing for approval.

- F. If the proposed development requires a Variance, the Zoning Administrator shall transmit his findings as described in paragraph C., above, to the Board of Appeals which shall follow the Variance procedure as provided in Article XIII (13). The site plan or scaled drawing and cover letter shall accompany the Zoning Administrator's findings. The proposer of the development shall be notified of the status of his requested site plan or scaled drawing for approval.
- G. The decision rejecting, approving, or conditionally approving a site plan shall be based upon the requirements contained in Section 11.03, A. The decision rejecting, approving or conditionally approving a scaled drawing shall be based upon the requirements contained in Section 11.03, B.
- H. A site plan or scaled drawing shall be approved if it contains the information required by this Ordinance and is in compliance with this Ordinance and the conditions imposed thereunder, other applicable Township, County, State or Federal laws, rules or regulations.
- I. The site plan or scale drawing as approved shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan or scaled drawing, unless a change conforming to this Ordinance receives the mutual agreement of the landowner and approving body.
- J. Upon approval of a site plan, the secretary of the approving body shall, within five (5) days, file with the Zoning Administrator a copy of the approved site plan or scaled drawing.