Comstock Township Community Development Department

Development Process Overview



Community Development Department 6138 King Highway Kalamazoo, MI 49001 269.381.2360 Updated: March 2020

The Zoning Board of Appeals (ZBA) Process



Notes:

- ZBA can consider non-use variances, appeals from the decision of a Township Official and requests for an interpretation of the Zoning Ordinance.
- The ZBA meets on the 4th Tuesday of each month.
- Special meetings may be requested by an applicant; fee is \$900. Contact Community Development Department Staff to request a special meeting of the ZBA.
- Application fee is \$500. The Planning & Zoning Application form is available here: Planning & Zoning Application
- To appeal a decision by the ZBA, an applicant may file suit with Kalamazoo County Circuit Court pursuant to the provisions of the Michigan Zoning Enabling Act.
- The steps and timelines listed above are for general guidance. Public noticing, meeting schedules, and the timeliness of application submittals may impact the timeline.

Variance Standards:

Per the State of Michigan Zoning Enabling Act, requested variances must demonstrate a practical difficulty, which is defined as:

- Unique circumstances applying to the property.
- Conformance unnecessarily burdensome.
- No adverse effect upon adjacent properties.
- Need for the variance was not self-created.
- The variance requested is the minimum necessary.

The Special Exception Use (SEU) Process

Step 1	• Pre-application meeting with Community Development Department staff (optional but recommended).
Step 2	Application is submitted. Staff reviews application and submitted materials for completeness.
Step 3	• Upon receipt of complete application, public hearing is scheduled. Notice of public hearing is sent to owners and occupants within 300 feet of subject property and legal ad published in Kalamazoo Gazette at least 15 days prior to the public hearing.
Step 4	• Township Staff prepares a report on the special exception use request to the Planning Commission; copy sent to applicant. Meeting packet and report distributed week prior to meeting.
Step 5	• Planning Commission holds the public hearing on the request. Applicant attends or sends a representative. The request is adjourned following the public hearing and deliberation for a decision at a future meeting unless this is waived by a majority vote of the Planning Commission.
Step 6	• Planning Commission makes a decision to approve, approve with conditions or deny the special exception use request.
Step 7	Community Development Director notifies applicant in writing of the Planning Comission decision.
Step 8	• If approved, the special use, or construction related to the special use, may commence upon approval of the site plan and issuance of a building permit.
Step 9	• The special use must commence within 18 months of approval unless an extension to the special use approval is granted by the Planning Commission.

- Planning Commission meetings occur on the 2nd and 4th Thursday of each month.
- Special meetings may be possible if requested by an applicant; fee is \$950. Contact Community Development Department Staff to request a special meeting.
- Application fee is \$500. The Planning & Zoning Application form is available here: Planning & Zoning Application
- See Section 4.13.c.2 of the Comstock Township Zoning Ordinance for review criteria considered by Planning Commission.
- The steps and timelines listed above are intended as general guidance. Public noticing, meeting schedules and the timeliness of application submittals may impact the timeline.

The Rezoning Process



- Planning Commission meetings occur on the 2nd and 4th Thursday of the month.
- Special meetings may be possible if requested; fee is \$950. Contact Community Development Department Staff to request a special meeting.
- Township Board meetings occur on the 1st and 3rd Monday of the month. Special meetings may be possible.
- Application fee is \$600/first acre; \$50 each additional acre up to \$2,000.
- The Planning & Zoning Application form is available here: Planning & Zoning Application
- See Section 27.05 of the Comstock Township Zoning Ordinance for review criteria considered by Planning Commission.
- The rezoning typically goes into effect 8 days following publication of the ordinance adopting the rezoning.
- The process typically takes 90-120 days.
- The above steps and timelines are intended to provide general guidance. Public noticing, meeting schedules and timeliness of application submittals may impact the project timeline.

Optional Conceptual Plan Review



- Planning Commission meetings occur on the 2nd and 4th Thursday of the month.
- The Planning & Zoning Application form is available here: Planning & Zoning Application
- Application fee is \$100. Fee Schedule
- See Section 22.06 of the Zoning Ordinance for more information about optional conceptual plan review.
- The process typically takes about 30 days; less time if administrative site plan review is conducted.
- The steps and timelines listed above are intended to provide general guidance to applicants.

Site Plan Review Process



- Planning Commission meetings occur on the 2nd and 4th Thursday of the month.
- Special meetings may be possible if requested by an applicant; fee is \$950. Contact Community Development Staff to request a special meeting.
- The Planning & Zoning Application form is available here: Planning & Zoning Application
- Application fee ranges from \$250 for site plan amendment to \$700 for site plan review of a building of 50,000 s.f. or more. An escrow may be required; escrow amount depends on complexity of the site plan and is determined by Community Development Department staff. Fee Schedule
- See Section 22.02 of the Zoning Ordinance for information required to be provided on the site plan. Click here for the Site Plan Review Checklist
- The process typically takes 30-60 days; less time if administrative site plan review is conducted.
- The steps and timelines listed above are intended to provide general guidance to applicants. Meeting schedules and the timeliness of application submittals may impact the project timeline.

Building Permit Process



Notes:

- The Kalamazoo Area Building Authority webpage: kaba-mi.org
- Any necessary Planning Commission approvals must be secured before the permit may be sought.
- Estimated timeframe: 5 10 business days.
- The steps and timelines listed above are for general guidance.

Kalamazoo Area Building Authority 2232 Nazareth Road Kalamazoo, MI 49048 <u>https://kaba-mi.org/</u>

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