Rezoning Requests

Overview

What is a rezoning of property?
A rezoning is a change in the zoning classification of a specific property; it is an amendment to the Township's Official Zoning Map.
Authority to rezone property rests with the Township Board.

What is a conditional rezoning?
A conditional rezoning is a rezoning request with a voluntary offer of conditions attached. As part of a rezoning request, an owner of property may voluntarily offer in writing, and the Township may approve, certain use and development of land as a condition to the approval of a rezoning.
An offer of conditions submitted as part of a conditional rezoning request shall bear a reasonable and rational relationship to the property for which rezoning is requested. Conditional rezoning requests are subject to Section 16.06 of the Shelby Township Zoning Ordinance and all applicable sections of the Michigan Zoning Enabling Act (M.C.L. 125.3101 et seq.).

Who can initiate a rezoning request?
A rezoning may be initiated by the Township Board, the Planning Commission, or an owner of real property within the Township.

What are the procedures for requesting a rezoning?
Upon receipt of a complete application for rezoning, the Planning Commission will hold a public hearing, review the request, and make a recommendation to the Township Board. The Township Board has final authority to approve or deny a request for rezoning.
Applicants should note that changes to rezoning proposals prior to Township Board approval may result in additional public hearing(s).

- Pre-Application Meeting (optional)
- Public Hearing
- Review by Planning Commission and Recommendation to Township Board
- Review by Township Board
  - Approval
  - Denial
- Recording of Statement of Conditions (if applicable)
- Development Review and Permit Approval Processes

Charter Township of Shelby Development Review Guidebook — Rezoning Requests
What are the application requirements?

☐ One (1) completed Application Form with original signatures of the legal owner and applicant.

☐ One (1) completed Applicant Information Form with one (1) readable copy of both sides of the applicant's driver's license attached (fax copies will not be accepted).

☐ Two (2) original notarized copies of the Affidavit of Ownership and supporting ownership documentation.

☐ Fifteen (15) copies of a Letter of Intent outlining plans for development/use of the property (concept plans will not be accepted.).

☐ Fifteen (15) copies of a legal survey with parcel boundaries, dimensions, and existing buildings.

☐ Fifteen (15) copies of existing conditions information including generalized topography and natural features, adjacent development, and relationship of to parcels within ¼-mile of the site.

☐ Twelve (12) copies of the Rezoning Traffic Study, if applicable.

☐ Two (2) copies of a Location Map, with North point, indicating subject property and abutting parcels (maximum width: two newspaper columns).

☐ Offer of conditions, if applicable.

☐ Review fee.

What is required for a conditional rezoning request?

Upon approval of a conditional rezoning request, the applicant shall submit a formal written Statement of Conditions that shall:

☐ Be in a form recordable with the Macomb County Register of Deeds.

☐ Contain a legal description of the land.

☐ Acknowledge that the use and development of the land shall conform thereafter to all of the requirements regulating use and development within the new zoning district as modified by the Statement of Conditions.

☐ Acknowledge that the Statement of Conditions runs with the land and is binding upon successor owners.

☐ Incorporate by attachment any diagrams, plans, or documents submitted or approved by the owner that are necessary to illustrate implementation of the Statement of Conditions.

☐ Acknowledge that failure to comply with any conditions shall constitute a violation of the Zoning Ordinance.

☐ Contain the notarized signatures of all owners and a statement attesting to their voluntary offer of and consent to the Statement of Conditions.

Common Questions

Do I need to attend any meetings?

You will be notified of all meetings with your rezoning request on the agenda. It is strongly recommended that you have representation at all meetings at which your application will be discussed.

The Planning Commission and Township Board may take action on a request whether the applicant is in attendance or not; however, action may be postponed if the applicant is not available for questions.

Who do I contact if I have more questions?

Contact the Shelby Township Planning and Zoning Department at:

Phone: (586) 726-7243
Email: planning@shelbytwp.org
Address: 52700 Van Dyke
          Shelby Township, MI 48316
APPLICATION FORM
PLANNING COMMISSION REVIEW

Office Use
Application No. Review Fee Engineering Fee Tree Permit Fee
Date Received Receipt No. Receipt No. Receipt No.

I. TYPE OF REVIEW
☐ SITE PLAN ☐ SPECIAL LAND USE ☐ REZONING ☐ CLASS A NONCONFORMING USE
☐ PUD PRELIMINARY ☐ PUD FINAL ☐ SITE CONDO PRELIMINARY ☐ SITE CONDO FINAL
SUBDIVISION: ☐ TENTATIVE PRELIMINARY PLAT ☐ FINAL PRELIMINARY PLAT ☐ FINAL PLAT

II. APPLICANT (A completed Applicant Information Form must accompany this application.)

APPLICANT’S NAME

ADDRESS

CITY __________________________ STATE ________________ ZIP __________

PHONE __________________________ EMAIL __________________________

III. PROPERTY INFORMATION

PROPERTY ADDRESS

GENERAL LOCATION

LEGAL DESCRIPTION ☐ ATTACHED ☐ ON SITE PLAN

PROPERTY IDENTIFICATION NO.

PROPERTY SIZE (acres) ______________ FRONTAGE (feet) ______________

EXISTING ZONING ___________________ PROPOSED ZONING ___________________

PROPOSED USE ___________________ # OF UNITS PROPOSED: ___________________

SIZE OF PROPOSED STRUCTURE(S) (square feet) ___________________

IV. SITE PLAN INFORMATION

SITE PLAN PREPARED BY

CONTACT NAME

ADDRESS

CITY __________________________ STATE ________________ ZIP __________

PHONE __________________________ EMAIL __________________________

V. SIGNATURES (This application form must be signed by both the applicant and legal owner of the property.)

The undersigned deposes that the foregoing statements and answers and accompanied information are true and correct.

SIGNATURE OF APPLICANT

(Signature of applicant)

SIGNATURE OF LEGAL OWNER

(Print/type name of legal owner)
APPLICANT INFORMATION FORM

Office Use
Application No. _______________ Date Received _______________
Copy of driver’s license attached? ☐ Yes ☐ No

I. TYPE OF APPLICATION (The appropriate Application Form must accompany this form.)
☐ SITE PLAN ☐ SPECIAL LAND USE ☐ TREE PERMIT ☐ CLASS A NONCONFORMING USE
☐ ZONING BOARD OF APPEALS ☐ REZONING ☐ MINOR TEMPORARY USE
☐ CONDOMINIUM SUBDIVISION ☐ SUBDIVISION ☐ SIGN PERMIT

II. APPLICANT INFORMATION
NAME ____________________________________________________________

ADDRESS _________________________________________________________

CITY __________________________ STATE ____________ ZIP ___________

PHONE ________________________ EMAIL ______________________________

DATE OF BIRTH ____________________________

DRIVER’S LICENSE NUMBER _________________________________________

(A copy of both side of the applicant’s driver’s license must be attached. Fax copies will not be accepted.)

III. SIGNATURE
The undersigned deposes that the foregoing statements and answers and accompanied information are true and correct.

________________________________________

SIGNATURE OF APPLICANT

(Print/type name of applicant)
STATE OF MICHIGAN  
COUNTY OF

I/We ____________________________________________

Name(s)

of

Address

City

State

Zip

Phone

the ____________________________________________ of

Title

Name of Company

being duly sworn, depose(s) and say(s) as follows:

1. The owner(s) of the property described on the attached

☐ Warranty Deed  ☐ Land Contract  ☐ Other Document (specify)

is/are as follows:

Name

Address

Name

Address

Name

Address

This property is the subject of a ______________________________  
Type of application

Application submitted to the Charter Township of Shelby.

2. I/We authorize ____________________________________________

Name(s)

the ____________________________________________ of

Title(s)

Name of Company

of

Address

City

State

Zip

Phone

to be my/our designated representative(s) in the processing of the application and to make representations and commitments on my/our behalf in connection with obtaining approval of my/our request.

__________________________________________________________________________

Signature of property owner

Title of property owner (if applicable)

__________________________________________________________________________

(Print/type name of property owner)

Subscribed and sworn to before me on

the ______ day of ______________________, 20______ .

______________________________, Notary Public

___________________________________________ County, Michigan

My commission expires: ____________________________