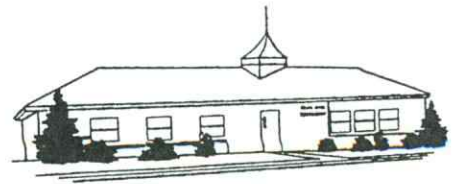


# **RUTLAND CHARTER TOWNSHIP BARRY COUNTY**



Larry Watson **Supervisor**  
Robin Hawthorne **Clerk**  
Sandy Greenfield **Treasurer**  
Stacey Graham **Zoning Administrator**

**TRUSTEES**  
Brenda Bellmore  
Gene Hall  
Sandra James  
Doug Lectka

## **RUTLAND CHARTER TOWNSHIP SPECIAL LAND USE PERMIT APPLICATION AND INFORMATION PACKET**

**June 2024**

**RUTLAND CHARTER TOWNSHIP**  
**INSTRUCTIONS AND PROCEDURES FOR**  
**SPECIAL LAND USE PERMIT APPLICATION**

The Rutland Charter Township Zoning Ordinance authorizes the Township Planning Commission to approve the establishment of certain land uses listed in the Zoning Ordinance as a "special land use". All special land use permit requests are subject to the following application instructions and procedures:

1. Applicant files application and all supporting information, including all pertinent site plans, specifications, and other data upon which the applicant intends to rely with the Zoning Administrator at:  
  
Rutland Charter Township  
Zoning Department  
2461 Heath Road  
Hastings, MI 49058
2. Applicant filing with Zoning Administrator must include required application fee and any applicable beginning escrow deposit per Township Planning & Development Fee and Escrow Schedule.
3. Zoning Administrator reviews application submittal to verify it is administratively complete.
4. State law and the Zoning Ordinance require Township Planning Commission to hold a public hearing on the application, preceded by publication of legal notice in newspaper and by mailing to property owners/occupants within 300 feet of the property involved with the application. This public hearing is held as part of a Planning Commission meeting. Township will inform applicant of meeting date application will be considered, and handles all legal requirements relating to required public hearing.

Note: regular meetings of the Planning Commission are generally held monthly. The regular meeting schedule is posted at Township Hall and on Township website ([www.rutlandtownship.org](http://www.rutlandtownship.org)). Special meetings may be scheduled with approval of Planning Commission. Township has an application submittal deadline for each meeting date, to provide sufficient time to have application reviewed by Zoning Administrator, comply with legal notice requirements, and distribute application materials to Planning Commission members prior to meeting.

5. Applicant is expected to attend Planning Commission meeting at which application will be considered and/or have informed representative attend on their behalf (for example, their proposed building contractor or architect).

Applicant must be prepared to explain details of proposed special land use. Applicant has burden of proof on the application, based on standards specified in Rutland Charter Township Code §220-20-3 (see fourth page of this packet); and, as applicable, specific standards required of particular special land uses specified in §220-20-7, and any other pertinent requirements.

6. Applicant may expect Planning Commission public hearing/meeting to generally follow this format (covered in more detail in Section 3.8 of Planning Commission Bylaws and Code §220-20.2):

- Planning Commission introduces application and requests initial comments from Township advisors (such as Zoning Administrator, Planning Consultant and/or Township Attorney).
- Applicant explains proposed special land use and facts applicant believes show all applicable approval standards and other requirements are met.
- General public comments on application.
- Planning Commission discusses request and makes findings of fact relevant to approval standards.
- Planning Commission makes decision on application.

7. Planning Commission decision options include:

- denial of application.
- approval of application (with or without conditions).
- table application for additional information and/or for applicant to consider revising proposal to comply with requirements.

8. If special land use permit is approved, Planning Commission approval of a site plan is also required before the land use can be conducted (and before any associated building permit can be issued). The Township has a separate "Site Plan Review Application and Information Packet" to assist you with this requirement.

Note: if applicant has submitted a complete site plan review packet with the special land use application, the Planning Commission will ordinarily consider both matters at the same meeting (if the special land use permit is approved).

9. Planning Commission decisions are shown in meeting minutes. All proposed and approved meeting minutes are public records available at the Township office in accordance with applicable state laws and Township policies.

**Note: Incomplete applications will not be accepted, and no application will be considered complete without payment of application fee in full. Planning Commission also reserves right to request additional information from applicant to give proper consideration to requested special land use.**

## **STANDARDS FOR SPECIAL LAND USE APPROVAL**

The applicant has the burden of proving compliance with all special land use approval standards (Rutland Charter Township Code §220-20-2.A.4.).

Rutland Charter Township Code §220-20-3.A. states an application for special land use approval shall not be approved by the Planning Commission (with or without conditions) unless the Planning Commission finds from the evidence that all of the following standards and requirements are met:

1. The size, nature and character of the use will be compatible with the other uses and buildings and structures expressly permitted within the zoning district, especially where the location of the use is adjacent to or in the approximate area of residential dwellings;
2. The use will be compatible with the natural environment of the area;
3. The use will not adversely affect the capacities of public services and facilities, and will not cause unreasonable traffic congestion or otherwise specially burden the public roads and streets in the area;
4. The lot upon which the use is proposed is able to accommodate all off-street parking facilities required by this chapter;
5. The use will not in any manner be detrimental or injurious to the use or development of adjacent properties, to the occupants thereof, or to the general neighborhood;
6. The use will not adversely affect the public health, safety, and general welfare of the community;
7. The use will be in accordance with the character and adaptability of the land at issue;
8. The standards required in subsections 1-7 above for approval of any special land use can and will, in the Commission's judgment, be met at all times;
9. The standards specifically applicable to the particular use in § 220-20-7 or elsewhere in this chapter can and will, in the Commission's judgment, be complied with at all times.

**RUTLAND CHARTER TOWNSHIP PLANNING COMMISSION**

**APPLICATION FOR SPECIAL LAND USE PERMIT**

Name of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing Address of Applicant: \_\_\_\_\_

Property Address (including all street addresses within the property of proposed special land use): \_\_\_\_\_

Parcel ID Number: \_\_\_\_\_ Present Zoning: \_\_\_\_\_

Legal Description: \_\_\_\_\_ (attach deed or tax bill)

Interest of Applicant in the Property: \_\_\_\_\_  
(Deedholder, Land Contract Purchaser, Lessee, Other)

If Applicant's interest is other than deedholder, does Applicant have consent of deedholder to proposed special land use and this application? Yes \_\_\_ No \_\_\_

Generally describe proposed special land use, and refer to section of Zoning Ordinance listing the use in the zoning district: \_\_\_\_\_

Include with the application site plan substantially complying with the requirements for the content of a final site plan as specified in §220-21-2\*, and all other information upon which the applicant intends to rely to show all applicable special land use approval standards and other requirements are satisfied.

\*See separate Site Plan Review Application and Information Packet.

Applicant(s) Telephone Number(s): \_\_\_\_\_

Signature of Applicant(s): \_\_\_\_\_

Applicant's email address: \_\_\_\_\_

\*\*\*\*\*FOR TOWNSHIP OFFICE USE ONLY\*\*\*\*\*

Application #: \_\_\_\_\_ Date application received including fee: \_\_\_\_\_ Amount/form of appl. fee: \_\_\_\_\_

Planning Commission decision on application at \_\_\_\_\_ meeting:

☐ Approved

☐ Approved with conditions

☐ Denied