

# FREMONT COMMUNITY JOINT PLANNING COMMISSION

## APPLICATION FOR CONDITIONAL REZONING

**PROOF OF OWNERSHIP MUST BE INCLUDED IN THE APPLICATION:** Acceptable documentation includes: Warranty Deed, Quick Claim Deed, Land Contract, and Option to Purchase with a Copy of the Warranty Deed. If the applicant is not the property owner, then written authorization from the property owner must be included.

### NOTICE TO APPLICANT

The following application must be completed (incomplete applications will be returned to the petitioner) and filed with the City/Township at least Six (6) weeks prior to a scheduled Joint Planning Commission meeting in order to initiate a request for rezoning approval. Regular meetings of the Joint Planning Commission are on the fourth Tuesday of each month at 7:00 p.m. at the Fremont City Hall, 101 E. Main Street, Fremont, Michigan.

Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax#: \_\_\_\_\_

E-mail: \_\_\_\_\_

Property Owner Name: \_\_\_\_\_

Property Owner Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax#: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name of Firm/Individual who prepared the Agreement:

\_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

E-mail: \_\_\_\_\_

Contact Name and Phone # for the Proposed Rezoning:

Contact Name \_\_\_\_\_

Phone #: \_\_\_\_\_

Location/Property Description:

Location or Address of the Property: \_\_\_\_\_

Parcel # of Property: \_\_\_\_\_

Total Acreage: \_\_\_\_\_

Please attach to the application a complete legal description of the Subject Property.

Current Zoning Classification:

Subject Property: \_\_\_\_\_

Zoning Classifications of Adjacent Properties:

North: \_\_\_\_\_ South: \_\_\_\_\_

East: \_\_\_\_\_ West: \_\_\_\_\_

Requested Zoning Classification:

Subject Property: \_\_\_\_\_

Existing Use of Property: \_\_\_\_\_

Proposed Use of Property: \_\_\_\_\_

**Statement of Purpose:** On a separate sheet of paper attach to the application the applicant should supply answers to whether the proposed Zoning Agreement and the Conditional Rezoning Offer:

1. Are consistent with the intent and purpose of the Fremont Community Joint Zoning Ordinance.
  2. Bear a reasonable and rational connection and/or benefit to the property being proposed for rezoning.
  3. Are necessary to ensure that the property develops in such a way that protects the surrounding neighborhood and minimizes any potential impacts to adjacent properties.
  4. Are necessary to allow the rezoning to be approved, in that the property could not or would not be rezoned without the proposed Zoning Agreement and Conditional Rezoning Offer.
  5. Lead to a better development than would have been likely if the property had been rezoned without a Zoning Agreement, or if the property were left to develop under the existing zoning classification.
  6. Are clearly in the public interest, as compared to the existing zoning and considering the site specific land use or conditions proposed by the applicant
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**Conditional Rezoning Offer:** On a separate sheet of paper, please indicate the conditions that the owner of land is voluntarily offering in relationship to the use and/or development of land for which the rezoning is requested. The Conditional Rezoning Offer shall bear a reasonable and rational relationship and/or benefit to the property in question. At a minimum, a preliminary site plan must be included with the offer of conditions if the proposed use requires site plan approval under the Fremont Community Joint Zoning Ordinance.

**Zoning Agreement:** A written Zoning Agreement offered by the applicant shall be submitted with the application. The Agreement shall include the conditional rezoning offer and any requirements necessary to implement it. It may also include a site plan. The Zoning Agreement shall also include the following:

1. Acknowledgement that the Zoning Agreement and the Conditional Rezoning Offer were proposed voluntarily by the applicant, and that the City and Townships relied upon the Agreement and may not grant the rezoning but for the Conditional Rezoning Offer and terms spelled out in the Zoning Agreement.
2. Acknowledgement that the Zoning Agreement and its terms and conditions are authorized by all applicable State and Federal law and constitution, and that the Zoning Agreement is valid and was entered into on a voluntary basis.
3. Agreement and understanding that the property shall not be developed and/or used in a manner that is not consistent with the Zoning Agreement.
4. Agreement and understanding that the approval and the Zoning Agreement shall be binding upon and inure to the benefit of the property owner and the City and Townships, and their respective heirs, successors, assignees, receivers or transferees.
5. Agreement and understanding that, if a rezoning with a Zoning Agreement becomes void in accordance with expiration requirements, no development shall take place and no permits shall be issued unless and until a new zoning district classification for the property has been established or a new rezoning with a Zoning Agreement has been approved.
6. Agreement and understanding that each of the requirements and conditions in the Zoning Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact or other condition created by the uses, activities or conditions represented in the approved rezoning and Zoning Agreement, taking into consideration the changed District classification and the specific use(s), activities, or conditions authorized.
7. Agreement and understanding that no part of the Zoning Agreement shall permit any activity, use or condition that would otherwise be prohibited in the Zoning District to which the property is to be zoned.

The following must be submitted with the application:

- \_\_\_\_\_ Legal description of subject parcel
- \_\_\_\_\_ Proof of ownership
- \_\_\_\_\_ 18 sets of the site plan must be submitted with the application.
- \_\_\_\_\_ A fee of \$250.00 must be submitted with the application.
- \_\_\_\_\_ Site Plan, if applicable
- \_\_\_\_\_ Statement of Purpose addressing Rezoning Standards
- \_\_\_\_\_ Conditional Rezoning Offer
- \_\_\_\_\_ Conditional Rezoning Agreement

I hereby submit this application for conditional rezoning, pursuant to the applicable provisions in Chapter 10 “Administration” of the Fremont Community Joint Zoning Ordinance and any other applicable Ordinance requirements. In support of this Conditional Rezoning application, I hereby certify that the information provided herein is accurate in all respects as contained in the application that has been provided. As the property owner (or having been granted permission to represent the owner as to this application) and on behalf of all owners of this property, I hereby grant the Joint Planning Commission members and the Zoning Administrator permission to perform a site walk on the property, without prior notification, as is deemed necessary.

\_\_\_\_\_  
Signature of Applicant/Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date