

Property Information

Address _____

City _____ State _____ ZIP _____

Legal Description: _____

Zoning District: R-1 R-2 A-1 MF P TC BC DI

Dimensions: (length) _____ (width) _____ (height) _____

Number of floors: _____

Setback Distances:

Front (from street right of way or centerline of road) _____

Side _____ Side _____ Rear _____

Lot Size: _____ (acres)

Affidavit

I certify and affirm that I am the property or building owner or the owner’s authorized agent and that I agree to conform to applicable zoning laws of the Village of Clarksville. I also certify and affirm that this application is accurate and complete to the best of my knowledge. I hereby give permission for Village representatives to visit this location.

Signature _____ Date _____

Zoning Board of Appeals/Village Council Use

Application Status Approved Denied

Reason for Denial _____

Notes _____

Village President Signature

_____ Date _____

OFFICE USE ONLY	Fee _____	Date Received _____	Receipt # _____
Payment Received by _____	Payment Method <input type="checkbox"/> Cash <input type="checkbox"/> Check # _____		

Rezoning Guidelines:

The Planning Commission and Village Council will use the following in determining if a rezoning will be permitted. Please keep these in mind when filing your application.

9.6.1 Scope of Examination. In reviewing any application for an amendment to this Ordinance, the Planning Commission shall identify and evaluate all factors relevant to the application, and shall report its finding in full along with its recommendations for disposition of the application, to the Village Council within a period of sixty (60) days. The matters to be considered by the Planning Commission shall include, but shall not be limited to the following findings of fact:

- A. What, if any, identifiable conditions related to the proposed amendment have changed which justify the proposed amendment?
- B. What, if any, error in judgment, procedure or administration was made in the original Ordinance which justifies the petitioners change in zoning?
- C. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?
- D. What is the impact of the amendment on the ability of the Village and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the petition is approved?
- E. Does the proposed amendment adversely affect environmental conditions, or the value of the surrounding property?
- F. Are there any significant negative environmental impacts which would reasonably occur if the petitioned zoning change and resulting allowed structures were built; such as,
 - a. Surface water drainage problems.
 - b. Waste water disposal problems.
 - c. Adverse effect on surface or subsurface water quality.
 - d. The loss of valuable Natural Resources (such as forest, wetlands, historic sites, wildlife, mineral deposits or valuable agricultural land).
- G. Does the proposed amendment generally comply with the adopted policies of the Clarksville Comprehensive Development Plan?
- H. The ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located.

9.6.2 All findings of fact shall be made a part of the public records of the meetings of the Planning Commission. The Planning Commission shall transmit its findings of fact, a summary received at the public hearing and its recommended action to the Village Council.

Variance Guidelines:

The Zoning Board of Appeals will use the following in determining if a variance will be permitted. Please keep these in mind when filing your application.

13.4.5 Variances: The Board of Appeals may authorize specific variances from such requirements as: lot area and width regulations, yard and depth regulations, off-street parking and loading space requirements, and sign and billboard regulations, provided all of the basic conditions listed herein and any one of the special conditions listed thereafter shall be satisfied.

- A. Basic Conditions:** A variance from this Ordinance:
 - 1. Will not be contrary to the public interest or to the intent and purpose of this Ordinance.
 - 2. Shall not permit the establishment within a district of any use which is not permitted by right within that district, or any use variance for which a special use permit is required pursuant to Article 7 of this Ordinance.
 - 3. Will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.
 - 4. Is not one where the specific conditions relating to the property are so general or recurrent in nature as to make the formulation of a general, regulation for such conditions reasonably practical.
 - 5. Will relate only to property that is owned or occupied, or where the applicant has equitable interest.
 - 6. Shall not be the result of a condition created by the applicant.
 - 7. Shall be assessed for the possible precedents or affects which might result from the approval or denial of the appeal.
- B. When all of the foregoing basic conditions can be satisfied, a variance may be granted when one of the following special conditions can be clearly demonstrated:**
 - 1. Where there are practical difficulties which prevent carrying out the strict letter of this Ordinance. These difficulties shall not only be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.
 - 2. Where there are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the same zoning district. Such circumstances or conditions shall have not resulted from any act of the appellant subsequent to the adoption of this Ordinance.
 - 3. Where such variation is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
- C. In addition to the foregoing conditions, the following rules shall be applied to the granting of variances:**
 - 1. The Board of Appeals may specify, in writing, such conditions regarding the character, location, and other features that will in their judgment secure the objectives and purposes of this Ordinance. The breach of any such condition shall automatically invalidate the permit granted.
 - 2. Every variance granted under the provisions of this Ordinance shall become null and void unless: The construction authorized by such variance or permit has been commenced within six (6) months after the granting of the variance, and the occupancy of land, or premises, or buildings authorized by the variance has taken place within one (1) year after the granting of the variance.
 - 3. No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly discovered evidence or proof of changed conditions found, upon inspection by the Board of Appeals, to be valid.

Site Plan Requirements

The final site plan shall be drawn at a scale of not more than one inch equals 100 feet (1" = 100') and shall contain the following information unless specifically waived by the Planning Commission or Zoning Administrator. The Planning Commission may require written statements relative to the effects on the existing traffic capacity of streets, and the proposed development's impact on public safety, existing utilities, the environment and natural features. In addition, the Commission may request additional studies, graphics or other written materials from the applicant in order to assist in determining the appropriateness of the site plan.

1. The date on which the site plan was prepared.
2. The name, address and professional seal of the architect, landscape architect, engineer or professional surveyor who prepared the plan.
3. A north arrow and legal description based upon the most current survey.
4. Property lines, dimensions, and building setback distances and all structures, lot lines and wetlands within 100 feet of the site.
5. Existing and proposed topographic elevations at a minimum of two feet intervals on the site and to a distance of 50 feet outside the boundary lines of the site.
6. Direction of storm water drainage and how storm water runoff will be handled in accordance with the requirements of the Ionia County Stormwater Management Ordinance.
7. Location of existing and proposed buildings, their intended use, the length, width and height of each building, and the square footage of each building.
8. Location of abutting streets, rights-of-way, service drives, curb cuts, and access easements serving the site, as well as driveways opposite the site and driveways within 100 feet on either side of the site; and the location and design specifications of the proposed driveway.
9. Location and size of all existing and proposed water and sanitary sewer lines and storm drainage lines as well as fire hydrants and catch basins; location of septic tank and drain fields; and utility easements serving the site.
10. Location and type of all required and proposed sidewalks, bike paths, and other walkways.
11. Location, type and size of any walls, fences or other screening devices.
12. Location of all proposed landscape materials, including size and type of plantings, in accordance with the requirements of Section 5.21 of this ordinance.
13. Location, size and height of all proposed accessory structures, flagpoles, storage sheds, transformers, dumpsters or trash removal areas or devices, and methods of screening.
14. Existing and proposed utility poles
15. Proposed signs in compliance with Article 11 of this Ordinance.
16. Proposed parking areas and access drives in accordance with Article 10 of this Ordinance showing the number and size of spaces and aisles, loading areas, handicapped access ramps, and the method of surfacing such areas.
17. Exterior lighting showing areas of illumination and type of fixtures as well as the method of shielding lights from adjacent properties and roadways.
18. Location and type of significant existing vegetation, water courses, and water bodies including county drains and manmade surface drainage ways, floodplains, and wetlands. Vegetation which is to be retained on the site must be illustrated.
19. Location of existing and proposed slopes which are 20 percent or greater.
20. Zoning and land use on adjacent properties.
21. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by this Ordinance or by state or federal agencies.
22. The Planning Commission may request architectural elevation drawings of a building and cross-section drawings of a site.
23. Small-scale sketch of properties, streets and zoned uses of land within one-quarter mile of the site, sufficient to illustrate the existing character and development in the area of the site.