

LENOX TOWNSHIP

Development / Land Use Review Procedures Manual



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INTRODUCTION

This manual is intended to provide an overview of Lenox Township's development and land use review process in a format that is more "user friendly" than the Township Zoning Ordinance, Subdivision Regulations and other local ordinances.

This document is not intended to include all of the requirements of these ordinances, nor is it a replacement for the Zoning Ordinance, Subdivision Regulations, or other local ordinances.

It is important to note that the ordinances of the Township should be thoroughly researched before submitting an application for a development/land use proposal.

The Zoning Ordinance and Procedures Manual may be purchased at the Township Hall.

Note: Incomplete/inaccurate applications may result in significant delays.

Included in this manual are descriptions, flow charts, application forms, and a fee schedule for a variety of development/land use review procedures.

For More Information Regarding This Manual, Contact...

Jodi Kethe, Lenox Township Clerk
63775 Gratiot
Lenox, MI 48050
Phone: 586-727-2085

COMMON QUESTIONS

◆ How to Determine if a Specific Development/Land Use is Permitted?

- ⇒ Check the Township Zoning Map to determine the zoning of your property.
- ⇒ Review the appropriate zoning district requirements within the Zoning Ordinance to determine if the proposed development/land use is allowed as either a principal permitted use or special land use.

◆ What is the General Review Process for a Proposed Development/ Land Use?

- ⇒ Determine which reviews are required...

- | | |
|------------------------------------|-----------------------------|
| 1 - land division (split) review | 5 - site plan review |
| 2 - subdivision (plat) review | 6 - special land use review |
| 3 - condominium subdivision review | 7 - pond permit review |
| 4 - private road review | 8 - sign permit review |

- ⇒ Determine which reviews may be requested...

- ◆ Rezoning (if proposed development/land use is not permitted within the zoning district designated for your property). Note: See pg. 20-22 of this manual and the Township's Master Plan.
- ◆ Zoning Board of Appeals review (if seeking a variance from, or interpretation of, zoning regulations, or appealing a decision of a Township official or body). Note: See pg. 23-25 of this manual.

- ⇒ Submit applications, plans and review fees within specified time frames

- ⇒ Proceed through review process as outlined in the flow charts in this manual

Do I Need to Attend Any Meetings?

While attendance at development/land use review meetings is not required, a knowledgeable representative should be available at all meetings to answer questions that may arise during the review process. The Planning Commission, ZBA or Township Board may defer action on an application when complete information is not available and no representative is present to answer questions.

PRE-APPLICATION CONFERENCE

Pre-application conferences are strongly recommended for all development review procedures. Because the development/land use review process can be confusing to those not familiar with the Township's regulations and long-range development goals, applicants are encouraged to take advantage of pre-application conferences with the Township staff, consultants and Planning Commission officials. Those that request pre-application conferences should find the development/land use review process less time consuming and costly.



The pre-application conference provides applicants with an opportunity to informally discuss a proposed development or land use. During the pre-application conference, the applicant and Township will be able to determine if a proposal is permitted within a specified zoning district and what review procedures and fees are associated with the proposal.

When Do I Apply and What Do I Submit?

Submit the following to the Township Clerk at least 2 weeks prior to the requested pre-application meeting to permit time for scheduling.

- A completed Pre-application Conference application, and any or all of the following items, which are not required but are useful for discussion purposes during the meeting:
 - ⇒ Sketch plans
 - ⇒ Proposed land uses and adjacent land uses
 - ⇒ Site information, particularly regarding natural features
 - ⇒ Proposed location of buildings and business types
- Required fee as established by the Township Board
- Typical time frames for scheduling a pre-application meeting is a minimum of 2 weeks.
- Typical time frames are also provided for each of the review procedures described on the proceeding pages of this manual.

PRE-APPLICATION CONFERENCE REQUEST
Lenox Township, Macomb County, Michigan

Applicant's Name _____

Street Address _____

City _____ State _____ Zip _____

Phone Number _____

The above applicant is hereby requesting a meeting with the Township Planner to discuss Application Procedures, Ordinance Requirements, Design/Review Guidelines, and the like regarding the following proposed project:

[After receipt of the Pre-Application Conference Fee by the Township, the applicant is responsible to schedule the meeting with the Township Planner by calling Birchler/Arroyo Associates at (248) 423-1776 during business hours].

Fee Paid \$ _____

Authorization to Proceed:

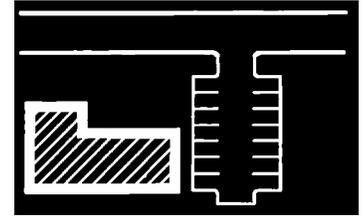
Date: _____

Signature of Township
Supervisor or Clerk

Applicant's Signature

Applicant to Submit Copies for: Township Planner (1) and Township File (1).

SITE PLAN REVIEW PROCEDURE



What is a Site Plan and Why is Site Plan Review Required?

A site plan is a precise, scaled drawing, prepared by a professional, that illustrates the proposed development/land use in detail. Site plan review is necessary to insure the proposed development/land use meets ordinance standards.

What Types of Developments Require Site Plan Review?

- New construction, additions or structural alterations to buildings/structures other than an individual single family home used as a residence.
- All significant changes in use as determined by the Planning Commission.
- All special land uses in any district.
- All condominium subdivision developments in any district.
- All multiple-family residential and manufactured housing park developments.
- The improvement, expansion, or extension of public or private utilities.
- All public buildings, structures and parks.

When Do I Apply and What Do I Submit?

Submit the following information to the Township Clerk 21 days prior to the Planning Commission meeting (i.e., 4th Monday of each month) for initial staff/consultant review.

- 10 copies of the completed application form
- 10 copies of the completed site plan checklist
- 10 copies of required site plan prepared in conformance with Section 305
- 10 copies of the Groundwater Protection Report (if applicable)
- Required fee as established by the Township Board

What Action is Taken by the Planning Commission?

The application is put on the agenda for the Planning Commission Meeting, and will be considered for:

1. Approval - Upon determination of the Planning Commission that a site plan is in compliance with the Zoning Ordinance as amended, and other ordinances or regulations, it will be so indicated on the site plan. The applicant may request preliminary and final site plan approval concurrently. Compliance with the submittal requirements of 305 B is required.
2. Revision - Upon determination of the Planning Commission that a site plan is in compliance except for minor revisions, said changes shall be so indicated. When these

changes have been adequately provided, the applicant may resubmit the site plan to the Planning Commission for final approval.

3. Disapproval - If extensive revisions to the site plan are necessary to meet the ordinance requirements, the site plan shall be disapproved and the applicant requested to prepare an alternate site plan. In this case "DISAPPROVAL" shall be written on the plan and reasons for disapproval indicated. If the applicant desires to prepare an alternate plan, the same procedure as outlined under Section 305 of the Zoning Ordinance shall be followed.

NOTE: When improvements such as paving of parking area, greenbelts, screen walls, or other improvements are required by the Zoning Ordinance, they shall be shown on the site plan for the proposed use. In addition, the owner of the subject property shall deposit with the Township Clerk a cash performance guarantee in the amount of 10% of the estimated cost of the required improvements. The entire sum shall be returned to the owner upon satisfactory completion of the required improvements within time limits specified by the Zoning Ordinance.

What is the Typical Time Frame for the Review Process?

Assuming a pre-application conference was held, and the application materials are complete and accurate, the typical minimum time frame is 60-90 days.

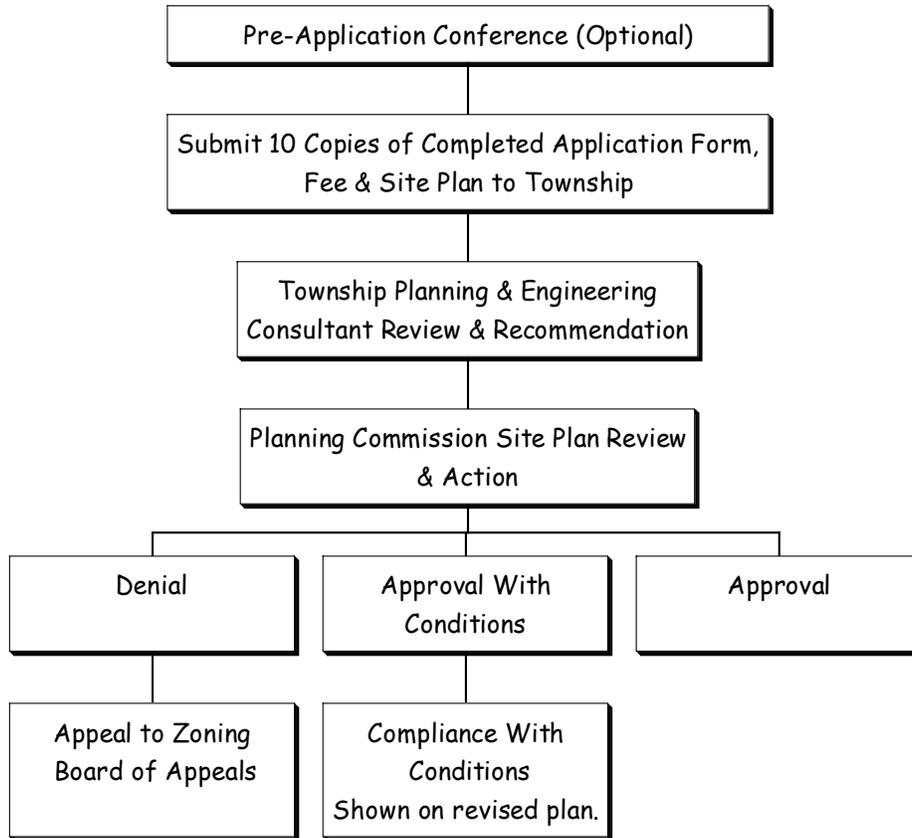
Does Site Plan Approval Allow Me to Begin Construction?

No. Site Plan Approval does not authorize construction. If your site plan is approved, construction plan review and building permits may be required prior to construction.

How Long Is An Approval Valid?

Approvals are valid for one (1) year, unless an extension is granted by the Township.

What is the Site Plan Review Process?



Note: Section 305 B outlines the site plan submittal requirements for Preliminary and Final Site Plan review. The Planning Commission may grant Preliminary and Final site plan approval concurrently for a site plan that meets all of the applicable submittal requirements in the table. Note that the requirements for submittal information differ for Preliminary and Final. This is intended to allow applicants to submit a preliminary plan to get the Planning Commission's input while postponing additional details such as screening etc. to the final review. Final Engineering Plans shall be submitted for review after Final Site Plan approval.

Date Rec'd _____

Review Fee Paid _____

LENOX TOWNSHIP

SITE PLAN REVIEW APPLICATION # ___

In accordance with the Lenox Township Zoning Ordinance, as amended, a site plan must be reviewed and approved by the Township Planning Commission for all development except single family residences. Ten (10) copies of this form, ten (10) copies of the Site Plan drawing(s) and the appropriate fee must be filled with the Township Clerk at least 21 days prior to the next regular meeting of the Planning Commission (fourth Monday of each month). The Site Plan drawing and this Application Form must contain all of the information required by Section 305 of the Lenox Township Zoning Ordinance, as well as the specific zoning district regulations in question. The Applicant is responsible for obtaining a copy of the Zoning Ordinance from the Township Clerk. The applicant or his/her representative must be present at the Planning Commission meeting or no action will be taken. The applicant is encouraged to use the "checklist" when preparing the site plan.

APPLICANT'S NAME _____

ADDRESS _____ CITY/ZIP _____ PHONE _____

NAME OF PROPOSED DEVELOPMENT _____

COMMON DESCRIPTION OF PROPERTY _____

COMPLETE LEGAL DESCRIPTION (Use other side or make part of the Site Plan).

EXISTING ZONING _____ ZONING OF SURROUNDING PROPERTY _____

PROPOSED USE OF LAND _____

SITE PLAN PREPARED BY: NAME _____

ADDRESS _____ CITY _____ PHONE _____

If you are not the legal owner, state your basis of representation (attorney, planner, architect, option purchaser, etc.). _____

NOTE: Approval of the site plan by the Planning Commission shall satisfy the requirements of the Zoning Ordinance for Site Plan Approval but does not exempt the applicant from compliance with all other Township Ordinances or Requirements.

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

Signature of Applicant

Action Date _____

Signature of Legal Owner

Approved _____ Denied _____

Signature of Planning Commission Chairperson

SITE PLAN PREPARATION/REVIEW CHECKLIST



APPLICATION FORM

- _____ Applicant's name and address.
- _____ Name of proposed development.
- _____ Common description of the property and complete legal description.
- _____ Dimensions of land, width, length, acreage, and frontage.
- _____ Existing zoning and zoning of adjacent properties.
- _____ Proposed use of land.
- _____ Name, address, city and phone number of:
 - a. Firm or individual who prepared site plan.
 - b. Legal owner of property.
 - c. Applicant (including basis of representation).
- _____ Signature of legal owner.
- _____ Completed Groundwater Protection Form

SITE PLAN DRAWINGS AND ILLUSTRATIONS (fully dimensioned)

- _____ Location map drawn at a scale of 4' = 1 mile (showing relationship of site to nearest major intersection).
- _____ A scale of not less than 1' = 50' if the subject property is five acres or less, and 1' = 100' if over five acres.
- _____ Date and northpoint.
- _____ Location of all proposed structures and uses.
- _____ All aisles, drives and parking areas (include number of spaces in each).
- _____ Screening and/or protective walls. (Sections 300 and 324)
- _____ Principal and accessory buildings. (Section 323)
- _____ Location of existing and proposed rights-of-way, widths of all abutting streets, alleys, easements and off site driveways within 300 feet.
- _____ *Types of facing materials to be used on structures. (Section 326)
- _____ Elevations (front, sides and rear views) of all buildings.
- _____ Typical floor plans.



- _____ Seal of Registered Architect, Landscape Architect, Professional Planner, or Engineer who prepared the plan. In case of minor structural alteration where professional services are not required, the Planning Commission may waive this requirement.
- _____ Density calculations (for multiple family and mobile home park developments).
- _____ Existing buildings or improvements on the site and all land adjacent to the site within 100 feet.
- _____ Designation of units by type of buildings.
- _____ *Interior sidewalks and sidewalks within right-of-way.
- _____ *Exterior lighting locations and method of shielding.
- _____ *Trash receptacle location and method of screening.
- _____ *Landscape plan. (Section 300)
- _____ Drive or street approaches including accelerations, deceleration and passing lanes, if appropriate.
- _____ All utilities located on or serving the site.
- _____ Loading and unloading area.
- _____ Total floor area.
- _____ Designation of fire lanes.
- _____ Where large equipment or machinery is to be installed as part of the development, the location, type, horsepower, fuel dimensions, noise, vibration, and emission levels and other data of all such equipment or machinery.
- _____ Location and extent of development of recreation areas, where necessary.
- _____ General Location of all proposed stormwater drainage and retention facilities shall be shown on the site plan drawings.
- _____ Location of existing drainage courses, floodplains lakes or streams
- _____ *Existing topography drawn to at least ten (10) foot contour intervals based on USGS data. Benchmarks for the elevations shown on the drawing shall be properly indicated if available.
- _____ *A plan for stormwater drainage and retention facilities clearly indicating that the development will not adversely affect adjoining properties.
- _____ Existing and proposed trees and shrubs including their size. *Tree survey requirements of Section 331 F shall be met for Final Site Plans where applicable.
- _____ Wetland boundaries shall be noted based on MDNR and USGS or National Wetlands Inventory Data. (Section 321)

- _____ *All interior and exterior areas to be used for storage, loading/unloading recycling, use or disposal of hazardous substances or polluting materials.
- _____ *Proposed location of all underground and aboveground storage tanks for such uses as fuel storage, waste oil holding tanks, collection of contaminated stormwater, and all similar uses.
- _____ *Location of existing underground storage tanks to be removed.
- _____ Location of exterior drains, dry wells, catch basins, retention / detention areas, sumps and other facilities designed to collect, store or transport stormwater or wastewater. The point of discharge for all drains and pipes shall be specified on plans.

* **Items identified with an asterisk are required for final site plan approval.**

SIGN INFORMATION

Separate drawings of the proposed sign(s) to be erected on the site may be submitted at the time of site plan review or at a later date. The location of all signs shall be shown on the site plan but the following detailed information may be deferred until later:

- _____ Height of the sign above the ground.
- _____ Surface of the sign (material and dimensions).
- _____ Area of the sign surface.
- _____ Lettering of sign drawn as it will appear on the erected sign - need not be in the style of the finished sign but must be neatly printed in the size and of a weight approximating that of the final constructed sign.
- _____ Method of illumination, if any.

LENOX TOWNSHIP
GROUNDWATER PROTECTION REPORT
FOR SITE PLAN REVIEW

This form must be completed and submitted as part of the site plan for facilities which may use, store, or generate hazardous substances on-site, including petroleum-based products, in accordance with Section 307 of the Lenox Township Zoning Ordinance. This checklist has been prepared to alert applicants to permit requirements which may apply to the proposed use or facility. The township may forward this information to the Department of Environmental Quality - Permits Coordinator. This form is not a permit application form. The applicant is responsible for all permits from the appropriate agencies. Please note that this checklist only pertains to state and county environmental permits.

**STATE AND COUNTY ENVIRONMENTAL PERMITS CHECKLIST
LENOX TOWNSHIP, MACOMB COUNTY**

Name of Business: _____

Mailing Address: _____

Telephone: _____ Fax: _____

Type of Business: _____ Facility Owner or Manager: _____

Date: _____ Signature: _____

Note: For assistance with permits and approvals from the Michigan Department of Environmental Quality, including permit coordination among MDEQ division, contact the Permit Coordinator, 517/335-4235.

Circle (Y/N) the items that may pertain to your project or facility; then contact the office(s) listed to determine specific requirements. Return a copy of this Checklist to the municipality as part of your site plan submittal – even if state and county approvals have not yet been obtained. An updated copy should be submitted prior to occupancy.

This list includes the most common permits and approvals related to waste, water quality, and air quality. Other permits and approvals, including local approvals, may also be needed.

1. Y N Will the project involve the discharge of any type of wastewater to a storm sewer, drain, lake, stream, wetland or other surface water? **Contact:** Michigan Department of Environmental Quality (MDEQ), Waste Management Division, Permits Section: 517/373-8088

2. Y N Will the project involve the direct or indirect discharge of waste, waste effluent, wastewater, pollutants, and/or cooling water into the groundwater or oil the ground? **Contact:** MDEQ, Waster Management Division, Groundwater Program Section: 517/373-8148

3. Y N Will the project involve construction or alteration of any sewage collection or treatment facility? For facilities discharging to surface waters, **Contact the MDEQ, Surface Water Quality Division, District Office: 313/953-1431**
For facilities discharging to groundwater, contact the MDEQ, Waste Management Division, District Office: 734/953-8905

4. Y N Will the project or facility store or use chemicals, petroleum products, or salt? Depending on the type of substance, secondary containment and a Pollution Incident Prevention Plan (PIPP) may be required. **Contact:** MDEQ, Waste Management Division, District Office: 734/953-8905

5. Y N Will the project involve the installation, operation, or removal of an underground or aboveground storage tank containing a petroleum product or a hazardous substance? **Contact:** MDEQ, Storage Tank Division: 517/373-8168
6. Y N Will the project involve liquefied petroleum gas storage tanks or container filling locations? **Contact:** MDEQ, Storage Tank Division: 517/373-8168.
7. Y N Will the project involve the installation of a compressed natural gas dispensing station with storage? **Contact:** MDEQ, Storage Tank Division 517/373-8168
8. Y N Will the project involve the generation of hazardous waste? **Contact:** MDEQ, Waste Management Division District Office: 734/953-8905
9. Y N Will the project involve the on-site treatment, storage or disposal of hazardous waste? **Contact:** MDEQ, Waster Management Division, Hazardous Waste Permit Unit: 517/373-9875
10. Y N Will the project involve the transport of hazardous waste or non-hazardous liquid industrial waste? **Contact:** MDEQ, Waste Management Division, Hazardous Waste Program section : 517/373-9875
11. Y N Will the project involve landfilling, transferring or processing solid non-hazardous wastes on-site? **Contact:** MDEQ, Waste Management Division; District Office: 734/953-8905
12. Y N Will the project involve the installation , construction, reconstruction, relocation, or alteration of any process or process equipment (including air pollution control equipment) which has the potential to emit air contaminants? **Contact:** MDEQ, Air Quality Division, Permit Section: 517/373-7023
13. Y N Will the project or facility involve the storage, mixing or distribution of pesticides or fertilizers in bulk quantities? **Contact:** Michigan Department of Agriculture, Pesticide and Plant Management Division: 517/373-1087
14. Y N Will the project involve any man-made change in the natural cover or topography of land, including cut and fill activities which may contribute to soil erosion and sedimentation? Will the earth change disturb an area of one acre or more, or occur within 500 feet of a lake or stream? If the answer to both of these questions is yes, a soil erosion and sedimentation control permit is required. **Contact:** County Drain Commissioner (or other responsible office): 810/469-5325
15. Y N Will the project involve dredging, filling or construction in, across or under (1) a river, stream, creek, ditch, drain, lake, pond or swamp? (2) wetlands? (3) floodplain (area that may have or ever had either standing or flowing water)? **Contact:** MDEQ, Land and Water Management Division, Permits Consolidation Unit, 517/373-9244
16. Y N Will the project involve any dredging proposed within 500 feet of a lake, river, stream, creek or ditch? **Contact:** MDEQ, Permit Consolidation Unit, Land & Water Management Division, 517/373-9244
17. Y N Will the project involve an earth change activity within 500 feet of a lake or stream or will the project disturb an area greater then one (1) acre in size? **Contact:** MDEQ, Land & Water Management Division, Soil Erosion & Sedimentation: 517/373-3178
18. Y N Will the project involve any construction or land alteration within 400 feet of a designated natural river or tributary? **Contact:** Michigan Department of Natural Resources, Forest Management Division, Natural Rivers Program Unit, 517/373-1275
19. Y N Will the project involve construction of a building or septic system in a designated great lakes high risk erosion area? **Contact:** MDEQ, Land and Water Management Division, Great Lakes Section, 517/373-1950
20. Y N Will the project involve dredging, filling, grading or other alteration of the soil, vegetation or natural drainage, or placement of permanent structures in a designated environmental area? **Contact** MDEQ, Land and Water Management Division, Great Lakes Section: 517/373-1950
21. Y N Will the project involve development, silvicultural activities or contour alterations within a designated critical dune are? **Contact:** MDEQ, Land and water Management Division, Great Lakes Section: 517/373-1950

22. Y N Will and on-site wastewater treatment system or septic system be installed?
- For sanitary sewage in quantities of 10,000 gallons per day or less:** - County or District Environmental Health . For any subsurface discharge of sanitary sewage in quantities equal to or greater than 10,000 gallons per day. **Contact:** *MDEQ, Waste Management Division: 517/373-8148*
- For sanitary sewage in quantities of 6,000 to 10,000 gallons per day** – in addition to obtaining a construction permit from the county or district environmental health department, submit a states wastewater discharge notification form. Flow monitoring and reporting are required. **Contact:** *MDEQ, Waste Management Division, Groundwater Permits Unit: 517/373-8148*
- For industrial or commercial wastewater in any quantity (other than sanitary wastewater)** **Contact:** *MDEQ, Waste Management Division, Groundwater Permits Unit: 517/373-8148*
23. Y N Will the project involve the construction of a water supply well or the extension of a water supply service from an existing water system? **Contact:** *MDEQ, Drinking Water Program, appropriate District office, and County or District Environmental Health Dept.: 810/469-5325*
24. Y N Are there out-of-service wells, abandoned wells, or cisterns on the site? (drinking water, irrigation, & monitoring wells). **Contact:** *County or District Environmental Health Dept.: 810/469-5325*
25. Y N Will the project involve a subdivision or site condominium project utilizing individual on-site subsurface disposal systems or individual wells? **Contact:** *County or District Environmental Health Dept. 810/469-5325*
26. Y N Will the project involve the on-site storage of sanitary sewage prior to transport and disposal off-site (pump and haul)? **Contact:** *MDEQ, Waste Management Division, Groundwater Program Section : 517/373-8148*
27. Y N Has the property or facility ever been subject to a remedial action, limited closure, or other environmental cleanup response under Part 201, Natural Resources and Environmental Protection Act (NREPA)? Is the property currently subject to a response action? Has a Baseline Environmental Assessment (BEA) been completed for the property? **Contact:** *MDEQ, Environmental Response Division: 517/373-8168.*

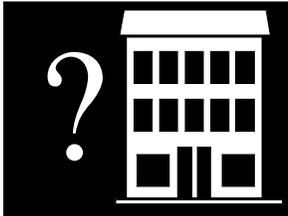
LENOX TOWNSHIP

Part II:
 TYPES AND QUANTITIES OF HAZARDOUS SUBSTANCES WHICH MAY BE
 USED, STORED, OR GENERATED AT THE BUSINESS FACILITY

List the hazardous substances (including chemicals, petroleum-based products, and hazardous wastes) which may be used, stored or generated on-site. Quantities should reflect the maximum volumes on hand at any time. Attach additional pages, if necessary to list all hazardous substances. Secondary containment is required for the storage of hazardous substances in accordance with Township and state requirements. The location of hazardous substance storage and use areas, including underground tank locations, must be shown on the site plan. See Section 307 of the zoning ordinance for township regulations regarding hazardous materials.

Common Names (Trade Name)	Chemical Name (components)	Form	Max. quantity on hand at one time	Type of storage containers
1.				
2.				
3.				
4.				
5.				

KEY: Liq = Liquid DM = Drum(s) G = Gas TP = Portable Tank P Liq = Pressurized Liquid
 UGT = Underground tank PG = Pressurized Gas CM = Metal container S = SolidCY = Cylinders
 AGT = Aboveground Tank CW = Wood or composition container



SPECIAL LAND USE REVIEW PROCEDURE

What is a Special Land Use?

In contrast with Permitted Principal Uses which are allowed by right, "Special Land Uses" may be permitted by the Township subject to compliance with general and special standards, and reasonable conditions. Special land uses are subject to the general provisions for all special land uses in Article 18, and the specific standards for the proposed use. In addition, all special land uses require site plan review (see pages 7-16). Reasonable conditions may be attached to the approval of Special Land Uses.

When Do I Apply and What Do I Submit?

Submit the following information to the Township Clerk 21 days prior to the Planning Commission meeting (i.e., 4th Monday of each month) for setting of public hearing. NOTE: Actual special land use review occurs 30 days after the public hearing is set.

- 10 copies of the completed application form
- 10 copies of required site plan prepared in conformance with Section 305
- Required fee as established by the Township Board

What is the Typical Time Frame for the Review Process?

Assuming a pre-application conference was held, and the application materials are complete and accurate, the typical minimum time frame is 90 days.

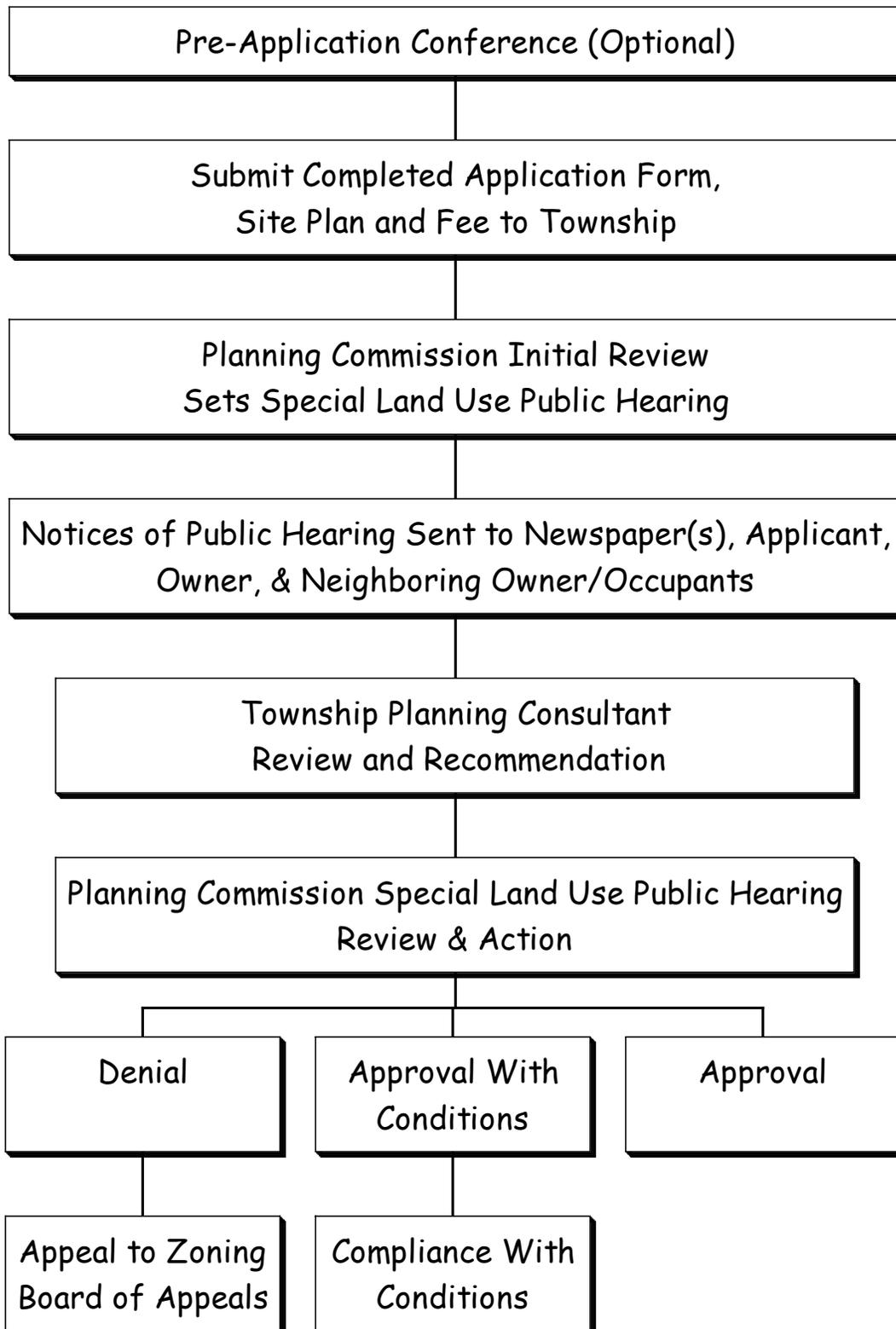
Does Special Land Use Approval Allow Me To Begin My Proposed Land Use and/or Construction?

No. A site plan, which is required with all Special Land Use applications, must also be approved by the Planning Commission prior to construction or use of land. Permits to allow construction or use will be granted after this development review process is completed.

How Long Is An Approval Valid?

The special land use must commence, or a building permit must be applied for, within 120 days (4 months) of approval. Extensions may be granted if requested by the applicant. *Note: the Planning Commission may require a special land use to receive periodic renewal of its approval, or complete an annual compliance review.*

What Is The Special Land Use Process?



**LENOX TOWNSHIP
SPECIAL LAND USE APPLICATION/PERMIT FORM**

In accordance with the Lenox Township Zoning Ordinance, as amended, Special Land Use approval requires the submission of a site plan to the Planning Commission for their review and approval. Ten (10) copies of this application/permit form and all required drawings shall be submitted to the Township Clerk at least 21 days prior to the next regular Planning Commission meeting.

APPLICANT'S NAME _____

ADDRESS _____ CITY/ZIP _____ PHONE _____

NAME OF PROPOSED DEVELOPMENT _____

COMMON DESCRIPTION OF THE PROPERTY _____

COMPLETE LEGAL DESCRIPTION (Use other side or make part of the site plan drawing).

EXISTING ZONING _____ ZONING OF SURROUNDING PROPERTY _____

PROPOSED USE OF LAND (Describe the nature of the Special Land Use request). _____

SITE PLAN PREPARED BY: NAME _____

ADDRESS _____ CITY _____ PHONE _____

If you are not the legal owner, state your basis of representation (attorney, planner, architect, option purchaser, etc.).

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

Date

Signature of Applicant

Date

Signature of the Legal Owner

The above Special Land Use request was APPROVED ___ DENIED ___ by a vote of the Lenox Township Planning Commission at a meeting held on _____ with the following stipulations, limitations or conditions:

Date

Planning Commission Chairperson's Signature

PERFORMANCE GUARANTEE
Lenox Township, Macomb County, Michigan

In accordance with Sections 324 and 300.F of the Lenox Township Zoning Ordinance, this cash Performance Guarantee is being submitted to insure installation of all site improvements required on the approved site plan for the project listed below and is based on the following cost estimates and bond calculations.

Project Name: _____

Project Location: _____

Applicant's Name: _____

Address: _____

_____ Zip Code _____

Phone Number: (____) _____ (____) _____

COST ESTIMATES AND BOND CALCULATIONS:

<u>Section 300.F</u>	<u>Bond Amount</u>
Landscaping (trees, shrubs, turf, etc.)	Cost estimate = \$ _____ x .5 = \$ _____

<u>Section 324</u>	
Exterior Lighting (poles, fixtures, wiring, etc.)	Cost estimate = \$ _____ x .1 = _____
Grading & Site Work (excavation, filling, etc.)	Cost estimate = \$ _____ x .1 = _____
Paving (drives, curbing, parking spaces, sub-base)	Cost estimate = \$ _____ x .1 = _____
Trash Receptacle Screening (enclosures, walls, etc.)	Cost estimate = \$ _____ x .1 = _____
Mechanical Equipment Screening	Cost estimate = \$ _____ x .1 = _____
Screen Fence or Wall, Security Fencing	Cost estimate = \$ _____ x .1 = _____
Signs (freestanding, building-mounted)	Cost estimate = \$ _____ x .1 = _____

TOTAL \$ _____

CERTIFICATION BY APPLICANT

I, _____, (Applicant) do hereby deposit the sum of \$ _____ as calculated above.

I do hereby also guarantee that I shall:

1. Complete the work called for on the approved Site Plan for _____ (Project Name) prior to occupancy of the building or site. Said work shall be in compliance with the approved site plan.
2. Remove and cause to be removed all debris, rubbish and trash from the building site.
3. Comply with all requirements of the Township that relate to improvements called for on the Approved Site Plan.
4. Request final inspections from the Building Department prior to occupancy of the building or site.
5. Not occupy the building(s) or utilize the site in any way, unless directly related to construction activity, prior to receiving a Certificate of Occupancy.
6. Contact the Building Department prior to any modifications or deviations from approved plans during construction. *Failure to do so may result in costly modifications required to secure compliance with approved plans*

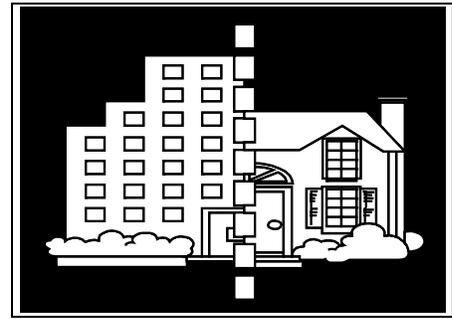
I understand that I must request all final inspections as outlined above and that the Bond will be returned upon completion of all site work in accordance with the Approved Plan(s) and the issuance of a final Certificate of Occupancy.

Date: _____

Signature of Applicant

cc. Applicant, file (2)
Attachment: Copy of check and receipt

REZONING REVIEW PROCEDURE



Changes to the zoning designation of a parcel of land can be initiated by the Township or requested by the property owner of a specific parcel.

All rezoning requests require a public hearing by the Planning Commission and final approval by the Township Board.

When Do I Apply and What Do I Submit?

Submit the following information to the Township Clerk 21 days prior to the Planning Commission meeting (i.e., 4th Monday of each month) for setting of public hearing. NOTE: Actual rezoning review occurs 30 days after public hearing is set.

- 10 copies of the completed application form must be submitted to the Township
- 10 copies of a scaled sketch plan illustrating the size and shape of the property, size and location of all existing and proposed buildings, streets, alleys, easements and other pertinent existing conditions, and the location and use of adjacent buildings within 150 feet of the subject site
- Required fee as established by the Township Board

What is the Typical Time Frame for the Review Process?

Assuming a pre-application conference was held, and the application materials are complete and accurate, the typical minimum time frame is 90 - 120 days.

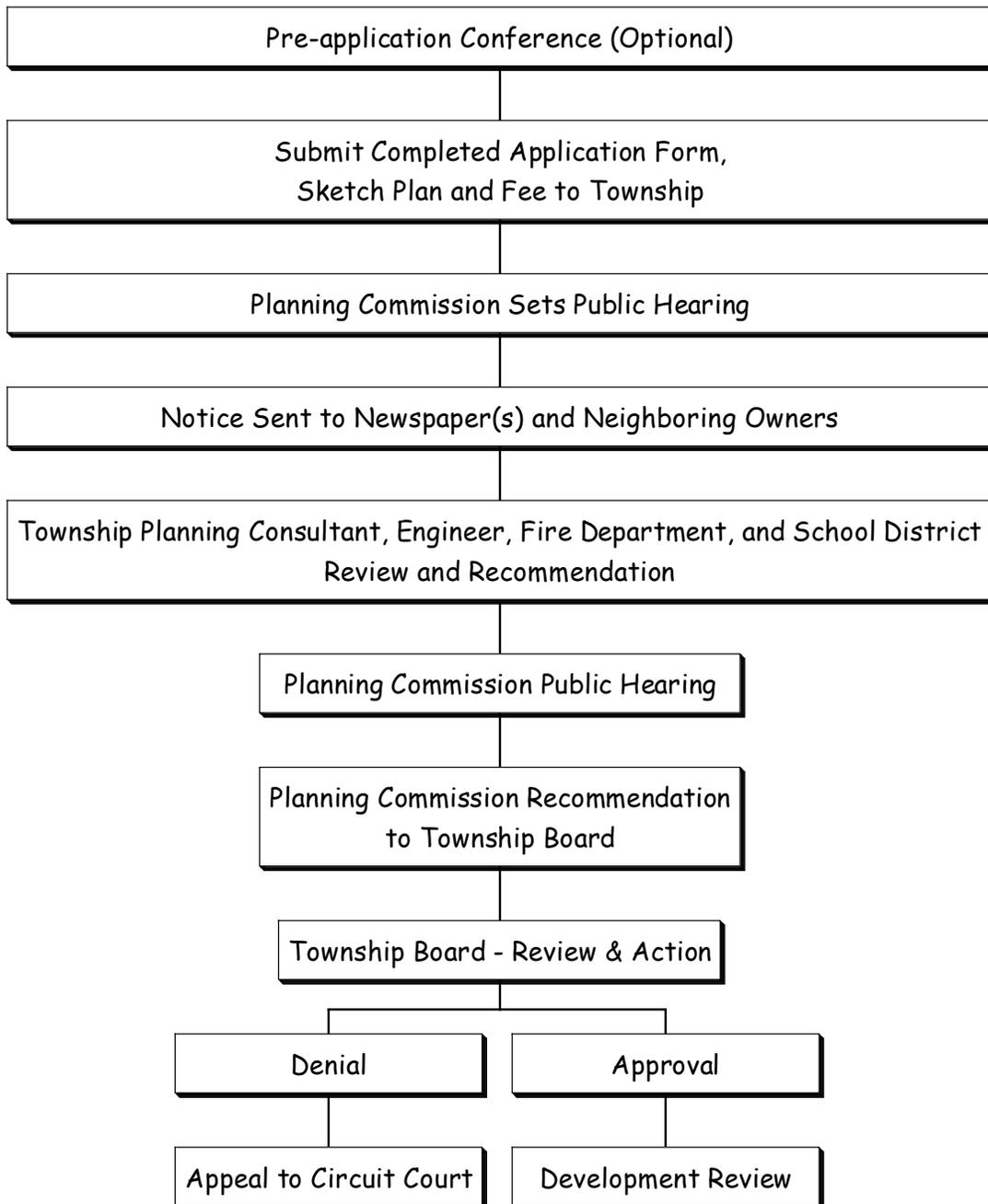
Does Rezoning Allow Me To Begin My Proposed Land Use and/or Construction?

No. Rezoning does not authorize construction or use of land. If your requested rezoning is approved, your specific development request will then be reviewed for conformance with applicable requirements. Permits to allow construction or use will be granted after this development review process is completed.

How Long is Approval of a Rezoning Valid?

Once approved, a rezoning is final and does not expire, even if the applicant who proposed the rezoning does not develop or otherwise use the land. Because the zoning of property requires legislative approval by the Township Board, it is not a property right that runs with the land. New or changed circumstances in the Township may result in future change in the zoning of individual properties.

What Is the Rezoning Review Process?



Action Date _____

Date Received _____

Approved _____

Denied _____

Rezoning Fee Paid _____

**LENOX TOWNSHIP
Macomb County, Michigan**

APPLICATION FOR REZONING # _____

APPLICANT'S NAME _____

ADDRESS _____ CITY/ZIP _____ PHONE _____

LEGAL DESCRIPTION OF PROPERTY FOR REZONING (Use back of sheet if necessary)

COMMON DESCRIPTION OF PROPERTY AND ADDRESS, IF ISSUED _____

PRESENT ZONING _____ ZONING REQUESTED _____

PURPOSE FOR REQUEST TO REZONE _____

ESTIMATED TIMETABLE FOR COMPLETION OF ANY BUILDINGS OR OTHER CAPITAL IMPROVEMENTS

ARE YOU SOLE LEGAL OWNER OR PROPERTY? _____

IF NOT, STATE ALL OTHERS WITH INTEREST IN PROPERTY BY NAME AND ADDRESS _____

ATTACH A SKETCH PLAN, DRAWN TO SCALE, WITH THE FOLLOWING INFORMATION:

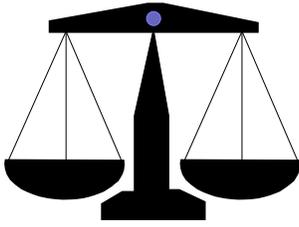
- (1) Parcel Description Number(s)
- (2) Size and shape of lot
- (3) Size and location of building(s)
- (4) Parking area: Dimensions, number of stalls, access road
- (5) Street on which located
- (6) Adjacent buildings: location and use
- (7) Number of employees expected (peak).

INSTRUCTIONS:

1. Print or type.
2. Ten (10) copies of this application should be submitted to the Township Clerk at least 21 days prior to a regular meeting of the Planning Commission at which it is to be considered. The application must be accompanied by ten (10) copies of a sketch plan of the property to be rezoned.
3. All sketch plans submitted must be at least 8 1/2" 11", and accurately drawn to scale.
4. Add comments on a separate sheet and attach or use space on back of this form.
5. Return to Township Clerk.

Petitioner's Signature

Legal Owner's Signature



Zoning Board of Appeals Review Procedure

The Zoning Board of Appeals (ZBA) is a quasi-judicial body that has the authority to review the following requests:

- Appeals of a decision of an administrative official, appointed or elected body
- Interpretations of the Zoning Ordinance or Zoning District boundaries
- "Non-use" variances from the area, height and setback, off-street parking or other dimensional requirements of the Zoning Ordinance.
- Temporary uses for periods not exceeding 12 months.

All ZBA requests require a public hearing prior to action. All ZBA actions are final. Appeals of ZBA decisions can be made to the circuit court.

When Do I Apply and What Do I Submit?

Within 60 days of the date of any order, refusal or determination which is being appealed, submit the following to the Township Clerk, 21 days prior to the ZBA meeting:

- 10 copies of the completed application form
- 10 copies of the site plan
- Required Review Fee

What is the Typical Time Frame for the Review Process?

Assuming the application materials are complete and accurate, the typical minimum time frame is 30 days.

Does an Approval of a Variance or Appeal Allow Me To Begin Construction?

No. Approval of a variance or appeal by the ZBA does not authorize construction. If your request is approved, site plan review, construction plan review and building permits may be required prior to construction.

How Long Is An Approval Valid?

Any variances granted by the Zoning Board of Appeals are valid for one (1) year.

What are the Zoning Board of Appeals Standards for Practical Difficulty?

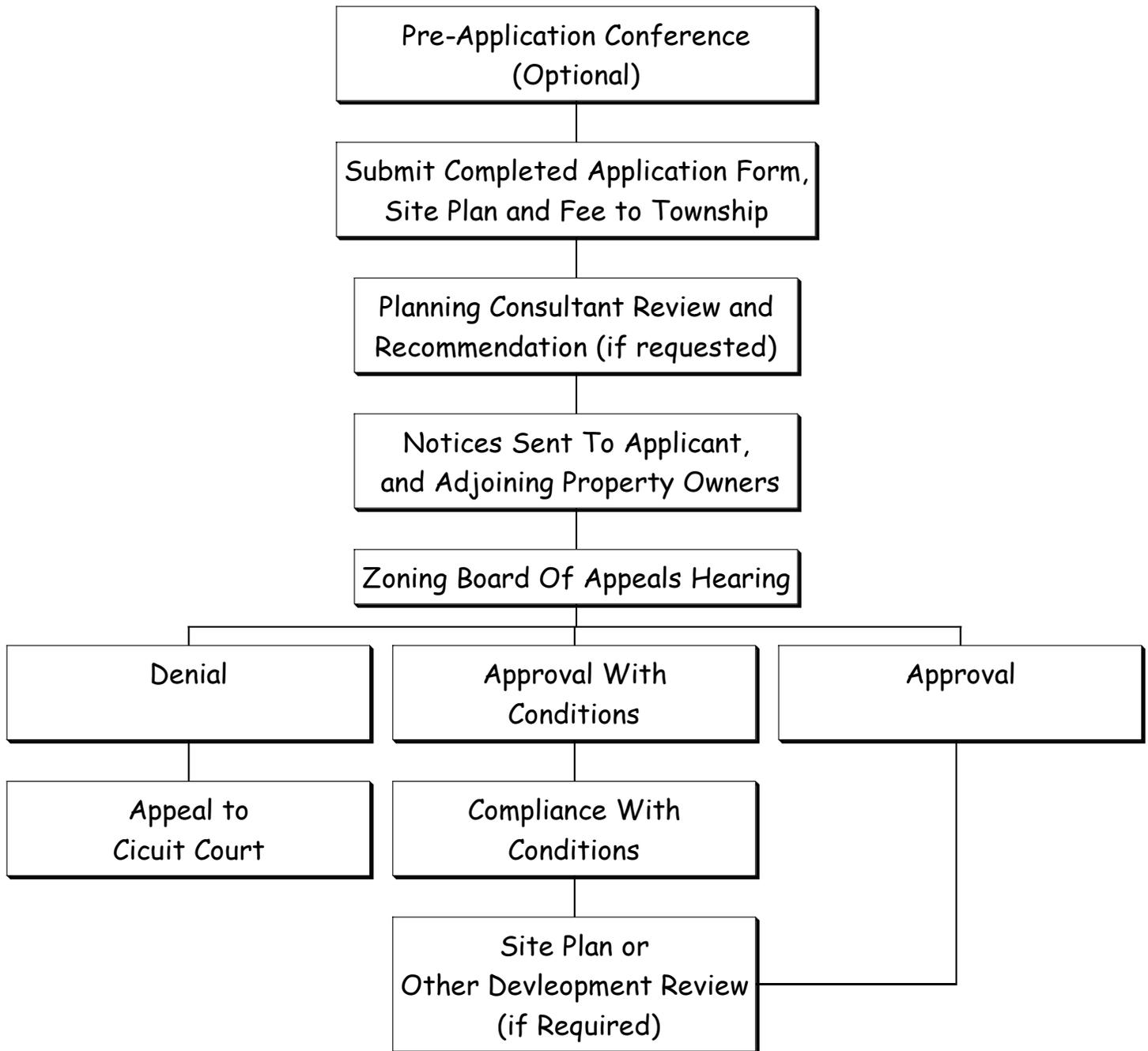
The Zoning Board of Appeals test for "practical difficulty" is well-documented in Michigan Supreme Court Case Law. What the courts have established is that practical difficulty relates to non-use variances and that the concept of "unnecessary hardship" only applies to cases of use variances. Townships do not have the statutory authority to approve use

variances. As a result, a Township Zoning Board of Appeals never has to concern itself with cases of hardship.

The court test of whether a variance should be granted on the basis of practical difficulty provides that a written application must demonstrate the following:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
2. That literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Ordinance;
3. That the special conditions and circumstances do not result from the actions of the applicant; and
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Ordinance of other lands, structures, or buildings in the same district.

What Is The Zoning Board of Appeals Review Process?



Lenox Township Zoning Board of Appeals

Request for Zoning Variance

Application Submission Date: _____ Hearing Fee Paid: _____

Applicant's Name _____

Address _____

City/State/Zip _____

Phone No. _____

Legal Description: (May Be Attached On Separate Sheet) _____

Applicant Please Describe Variance Requested from Provisions of the Lenox Township Zoning Ordinance (Specify Ordinance Provision(s) By Section Number): _____

Explanation of Variance Granted and Description of any Conditions Imposed (For ZBA Use Only):

Date of ZBA Action _____ Approved _____ Denied _____

Date Approval Expires (For Temporary Approvals Only) _____

Applicant's Signature

Signature of Chairperson, Lenox
Township Zoning Board of Appeals

Land Divisions vs. Subdivisions



Impact of the Land Division Act, As Amended

The subdivision review process is required for any subdivision of land that meets the criteria for platting, as specified in the Land Division Act, as amended (MCLA 560.101 et seq.).

The Land Division Act provides a formula for determining how many splits are allowed per parent parcel or tract without going through the plat process. It should be noted that all parcels in the state of Michigan that were lawfully in existence on March 31, 1997 are parent parcels that are potentially eligible for future splits outside the plat process. For splits occurring after this date, the resulting parcels may be eligible for additional splits after ten years. The table on the following page shows the maximum number of splits allowed without going through the plat process.

The Land Division Act also provides a bonus formula for those parent parcels or tracts which are over 20 acres. If the applicant can apply one or both of the "good planning" techniques described below, they receive 2 additional splits. These "good planning" techniques are:

1. Construction of a new road(s) results in no new driveways with access onto an existing public road.
2. At least one resulting parcel is not less than 60% of the area of the parent parcel.

The table on the next page shows the maximum number of splits allowed before the subdivision platting process is triggered. If a project is at or below these thresholds, Applicants should proceed to the Township for lot split approval. If these thresholds are exceeded, a subdivision plat is required. (An equivalent development may also be possible under the Condominium Act. Refer to Condominium Subdivision Review in this manual).

LAND DIVISION ACT OVERVIEW

Basic Formula for Determining the Number of Allowable Splits

	Size of Parcel	Splits
	0-19.99	4
+10 ac	20 - 29.99	5
+10 ac	30 - 39.99	6
+10 ac	40 - 49.99	7
+10 ac	50 - 59.99	8
+10 ac	60 - 69.99	9
+10 ac	70 - 79.99	10
+10 ac	80 - 89.99	11
+10 ac	90 - 99.99	12
+10 ac	100 - 109.99	13
+10 ac	110 - 119.99	14
+40 ac	120 - 159.99	15
+40 ac	160	16
+40 ac	200	17
	+40 ac	+1

Bonus Formula for Determining the Number of Allowable Splits

	Size of Parcel	Splits
	0-19.99	4
	20 - 29.99	7
	30 - 39.99	8
	40 - 49.99	9
	50 - 59.99	10
	60 - 69.99	11
	70 - 79.99	12
	80 - 89.99	13
	90 - 99.99	14
	100 - 109.99	15
	110 - 119.99	16
	120 - 159.99	17
	160	18
	200	19
	+40 ac	+1

In addition to the number of splits that are allowed, the Land Division Act also requires that all resulting parcels be accessible by either an existing or proposed driveway or easement.

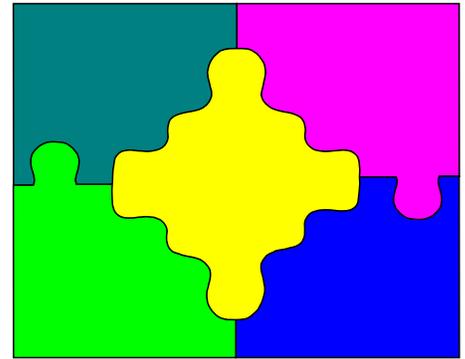
Any parcel or tract which is "40 acres or the equivalent" or larger is known as an "exempt split." These "exempt splits" are not counted as a division in either of the above formulas.

The above is a general description of the Land Division Act. Applicants are advised to consult the full Land Division Act, as amended (MCLA 560.101 et seq.), prior to making any decisions.

The "Basic" formula applies to splits that will occur on an existing road. The "Bonus" provisions apply only if all resulting splits will be served by a new road or if one resulting parcel is at least 60% of the parent parcel of parent tract.

Land Division Review Procedure

All divisions of a parent parcel or tract that are under the maximum allowable without being processed through the platting (subdivision) process require review and approval in conformance with the Lenox Township Land Division Ordinance and the Land Division Act.



When Do I Apply & What Do I Submit?

Consult the Township Assessor for submission deadlines.

For Four Resulting Parcels or Lots:

If the proposed division will result in only four new lots or involves a split and recombination with other adjoining property, the following procedures shall be followed:

- 5 copies completed application form
- 5 copies of a surveyor's conceptual plan, drawn to scale, including legal descriptions of the parent parcel(s), all proposed divisions, and any remainder. Drawings must include the dimensions of all proposed divisions, the locations of all existing buildings and ponds, and the distance from all buildings and ponds to all proposed new lot lines.
- 5 copies completed application form and proof of ownership in the form of a Title Insurance Policy, Warranty Deed, Quit Claim Deed and its associated Warranty Deed, Land Contract, or other legal document of conveyance.
- Required review fees as established by resolution of the Township Board.

What Action is Taken?

1. The Township Clerk and Assessor review the application for completeness, accuracy, and conformance with local zoning requirements for minimum lot size, width, frontage, and width-to-depth ratio.
2. Any division that does not comply with one or more of the Township requirements will not be approved. Variances from these requirements shall be granted by the Zoning Board of Appeals and required a separate application and administrative review fee. There is no guarantee of ZBA approval and all applicants should review the ZBA's "Practical Difficulty Standards" (see page 32).

3. If the Township Clerk and Township Assessor find that all requirements for approval have been met, they will approve the divisions. (All divisions approved after January 1 of any year will not appear on the Township tax rolls until the following year, unless otherwise regulated by state law regarding homestead exemption affidavits.)

For Divisions Resulting in Four or More Parcels:

If the proposed division will result in four (4) or more new lots, or require construction of a street or road, review and approval by the Planning Commission is required, subject to the following procedures:

Submit the Following to the Township Clerk at least twenty-one (21) days prior to the next regular Planning Commission meeting. (4th Monday of each month).

- Ten (10) copies of the application form
- Ten (10) copies of the survey drawing
- Ten (10) copies of the surveyor's legal description of each parcel or lot
- Ten (10) copies of written proof of ownership
- Required review fees as established by resolution of the Township Board

What Action is Taken?

1. The Township Clerk will forward the copies to the Planning Commission, Township Planner and Township Assessor for their review.
2. The Planning Commission will review the application package for completeness, accuracy, conformance with zoning requirements for lot size, width, frontage, and width-to-width ratio, and the design guidelines incorporated in this procedures guide.
3. Variances from the requirements of the Lenox Township Zoning Ordinance shall only be granted by the Zoning Board of Appeals (ZBA) and requires a separate application and administrative review fee. Variances will not be approved unless they meet the ZBA's "Practical Difficulty Standards" (See page 32).
4. If the Planning Commission finds that all requirements for approval have been met and that the layout and design promotes the appropriate and orderly development of the Township, they will approve the divisions. (All divisions approved after January 1 of any year will not appear on the Township tax rolls until the following year).

What are the Standards for Approval?

In reviewing applications for land divisions and lot splits, the Township will evaluate each request according to the following standards:

- ❑ All parcels created by a division, including the remainder of the parent parcel, shall comply with Township requirements for minimum lot area and width. (See example sketches).
- ❑ Street rights-of-way and/or street easements shall not be counted toward requirements for minimum lot area or width.
- ❑ The layout and design of land divisions and lot splits shall demonstrate that any future divisions will be logical and promote sound community planning and design (See example sketches).
- ❑ Plans for division of property shall avoid flag lots, excessively deep "bowling alley" lots, and similar designs that impair provision of emergency services and hamper logical extension of future public utilities.
- ❑ Plans for division of property shall avoid excessive numbers of driveways onto major thoroughfares where new public streets would increase safety by reducing points of conflict.

What are the Zoning Board of Appeals Standards for Practical Difficulty?

The Zoning Board of Appeals test for "practical difficulty" is well-documented in Michigan Supreme Court Case Law. What the courts have established is that practical difficulty relates to non-use variances and that the concept of "unnecessary hardship" only applies to cases of use variances. Townships do not have the statutory authority to approve use variances. As a result, a Township Zoning Board of Appeals never has to concern itself with cases of hardship.

The court test of whether a variance should be granted on the basis of practical difficulty provides that a written application must demonstrate the following:

5. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

6. That literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Ordinance;
7. That the special conditions and circumstances do not result from the actions of the applicant; and
8. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Ordinance of other lands, structures, or buildings in the same district.

Does An Approval of a Lot Split Allow Me To Begin Construction?

No. Approval of a Lot Split does not authorize construction. If your request is approved, construction plan review and building permits may be required prior to construction.

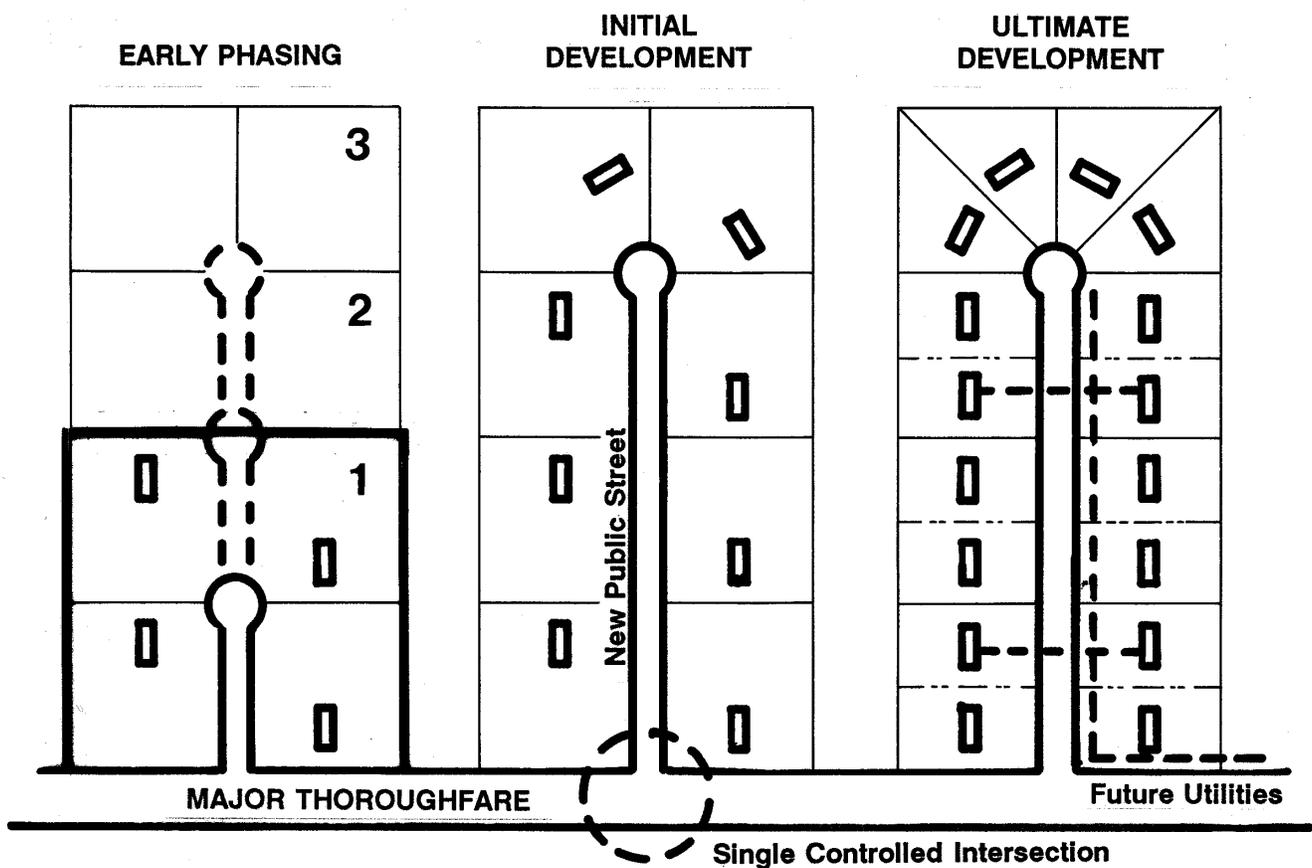
How Long Is An Approval Valid?

Approval of a Lot Split does not expire.

Land Division Example #1

Example #1 illustrates the following concepts and standards:

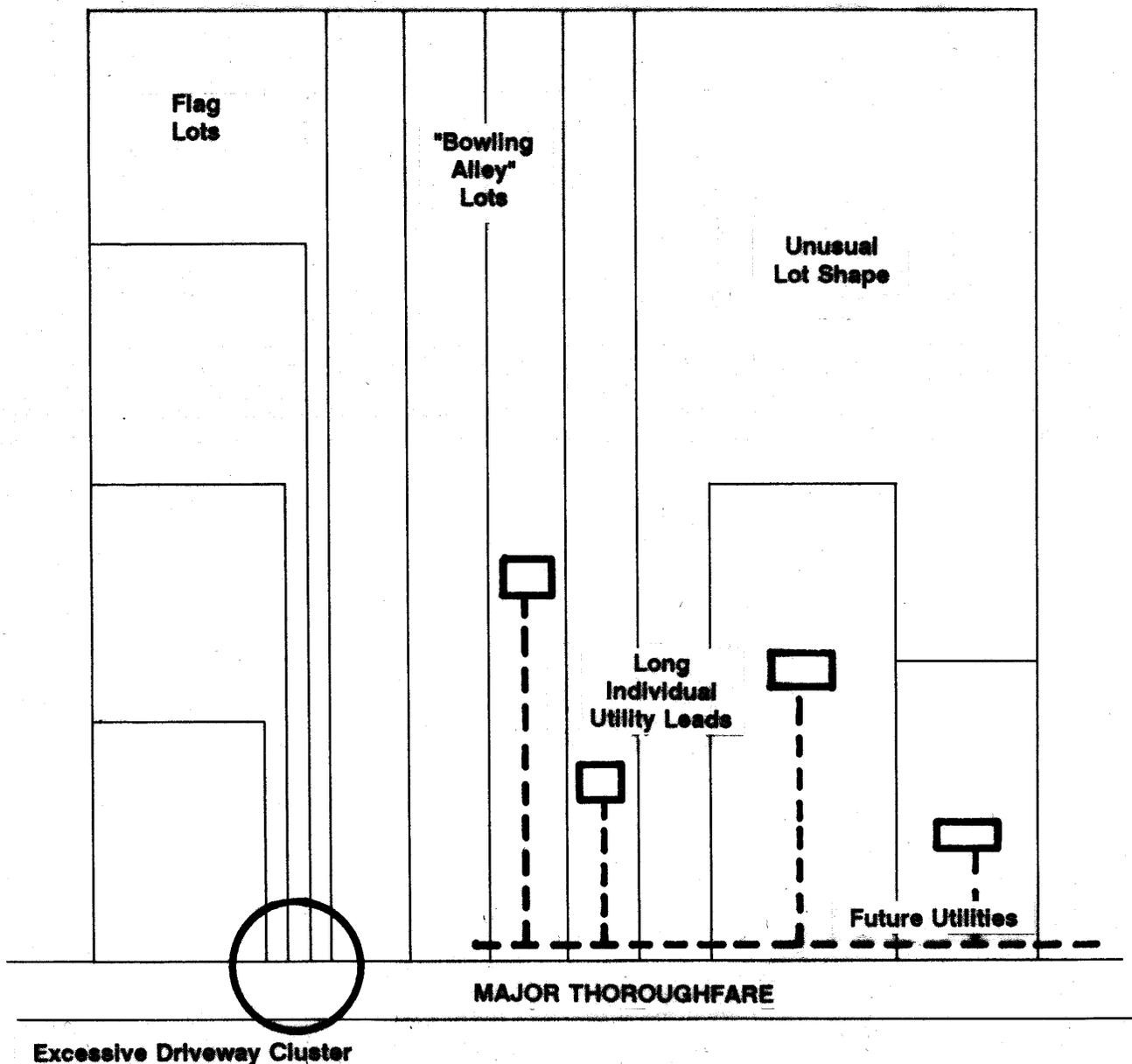
- ❑ Phasing the initial development consistent with the property owner's budget.
- ❑ Initial Development layout and design that promotes logical future division of larger lots.
- ❑ Access to all lots from new, public street to avoid excessive driveways onto Major Thoroughfare.
- ❑ Logical provision of future utility services.
- ❑ Good community design.



Land Division Example #2

Example #2 illustrates the following poor land splitting practices:

- ❑ Flag lots with confusing cluster of driveways.
- ❑ Excessive lot depth ("bowling alley" lots).
- ❑ Expensive numbers of driveways and accident conflict points.
- ❑ Unusual lot shape with no logical future division possibilities.



Fee Paid \$ _____

Application Number _____

**APPLICATION FOR LOT SPLIT APPROVAL
Lenox Township, Macomb County**

All lot splits or further division of any parcel of land in Lenox Township requires approval for the Township Clerk and Assessor, under the authority of the State Subdivision Control Act #288 of 1967 and the Lenox Township Land Division Ordinance. The applicant must submit five (5) copies of this form and the following information and exhibits to the Township Clerk. (10 copies if there are 4 or more lots or parcels).

1) Applicant's Name _____
Address _____
City/Zip _____ Phone Number () _____

- 2) A survey sketch certified by a Registered Land Surveyor showing the dimensions of the parcel to be divided and the dimensions of parcels, tracts, lots or outlets resulting from the division. All such divisions must comply with the applicable zoning district. Show the location of all existing buildings and ponds and the setback distance to the proposed new lot lines.
- 3) Legal description certified by a Registered Land Surveyor of the parcels resulting from the division.
- 4) A duly executed written memorandum of conveyance (e.g. Deed, Land Contract, or Lease) suitable in form for recording with the Macomb County Clerk, Register of Deeds, which is the applicant intends to utilize for conveyance of the parcels, tracts, lots, or outlots.
- 5) In the event of the proposed division will result in parcels, being less than the minimum area or size required by Act 288 of 1967, as amended, or Lenox Township Zoning Ordinance, the applicant shall also submit an executed affidavit suitable in form for recording with the Macomb County Clerk, Register of Deeds, signed by all persons having a legal or equitable interest in the parcels, acknowledging that they understand the properties may not thereafter be developed or used separately, but only in conjunction with adjoining parcels, tracts, lots or outlots which, when joined together, shall satisfy the minimum area and width requirements of Act 288 or the Zoning Ordinance.
- 6) A DIVISIONS OF ANY PARCEL OF PROPERTY INTO MORE THAN 4 LOTS ALSO REQUIRES THE APPROVAL OF THE LENOX TOWNSHIP PLANNING COMMISSION, ACCORDING TO THE STANDARDS OF SECTION 8 of the LAND DIVISION ORDINANCE.

Application Receipt Date

Applicant's Signature

Planning Commission Approval

Planning Commission Chairperson's Signature

Date of Assessor's Approval

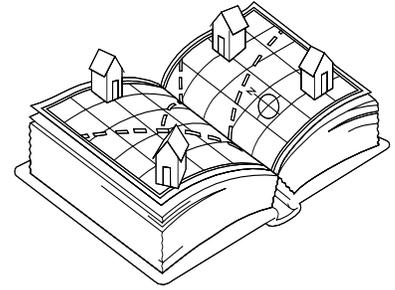
Assessor's Signature

Approval for Zoning Compliance

Township Clerk's Signature

ALL EXISTING BUILDING LOCATIONS AND DISTANCES FROM NEW LOT LINES MUST BE SHOWN ON SITE PLAN (SURVEY SKETCH).

SUBDIVISION PLAT REVIEW PROCEDURE



All divisions of a parent parcel or tract that exceed the maximum allowable acreage divisions must be processed through the platting (subdivision) review and approval process in conformance with the Lenox Township Subdivision Regulations Ordinance #21 and state Land Division Act.

When Do I Apply & What Do I Submit?

Submit the following to the Township Clerk 21 days prior to the Planning Commission meeting (i.e., 4th Monday of each month) for staff/consultant review:

For Tentative Preliminary Plat Review, submit the following to the Township Clerk:

- 16 copies completed application form
- 16 copies of Tentative Preliminary Plat prepared in conformance with the Lenox Township Subdivision Regulations Ordinance #21 and the Land Division Act (the use of the checklist is encouraged to assist in preparation of the plat drawings).
- Required review fees as established by resolution of the Township Board.

For Final Preliminary Plat Review, submit the following to the Township Clerk:

- 16 copies of the Final Preliminary Plat reflecting required changes, and prepared in accordance with the Lenox Township Subdivision Regulations Ordinance #21 and the Land Division Act.
- Required review fees as established by resolution of the Township Board.

For Final Plat Review, submit the following to the Township Clerk:

- 1 mylar and 16 paper copies of the Final Plat prepared in accordance with the Lenox Township Subdivision Regulations Ordinance #21 and the Land Division Act.
- Any proposed Subdivision Deed Restrictions or Protective Covenants.
- Required review fees as established by resolution of the Township Board.

What is the Typical Time Frame for the Review Process?

Assuming a pre-application conference is held, and the application materials are complete and accurate, the typical minimum time frame is 8 - 10 months.

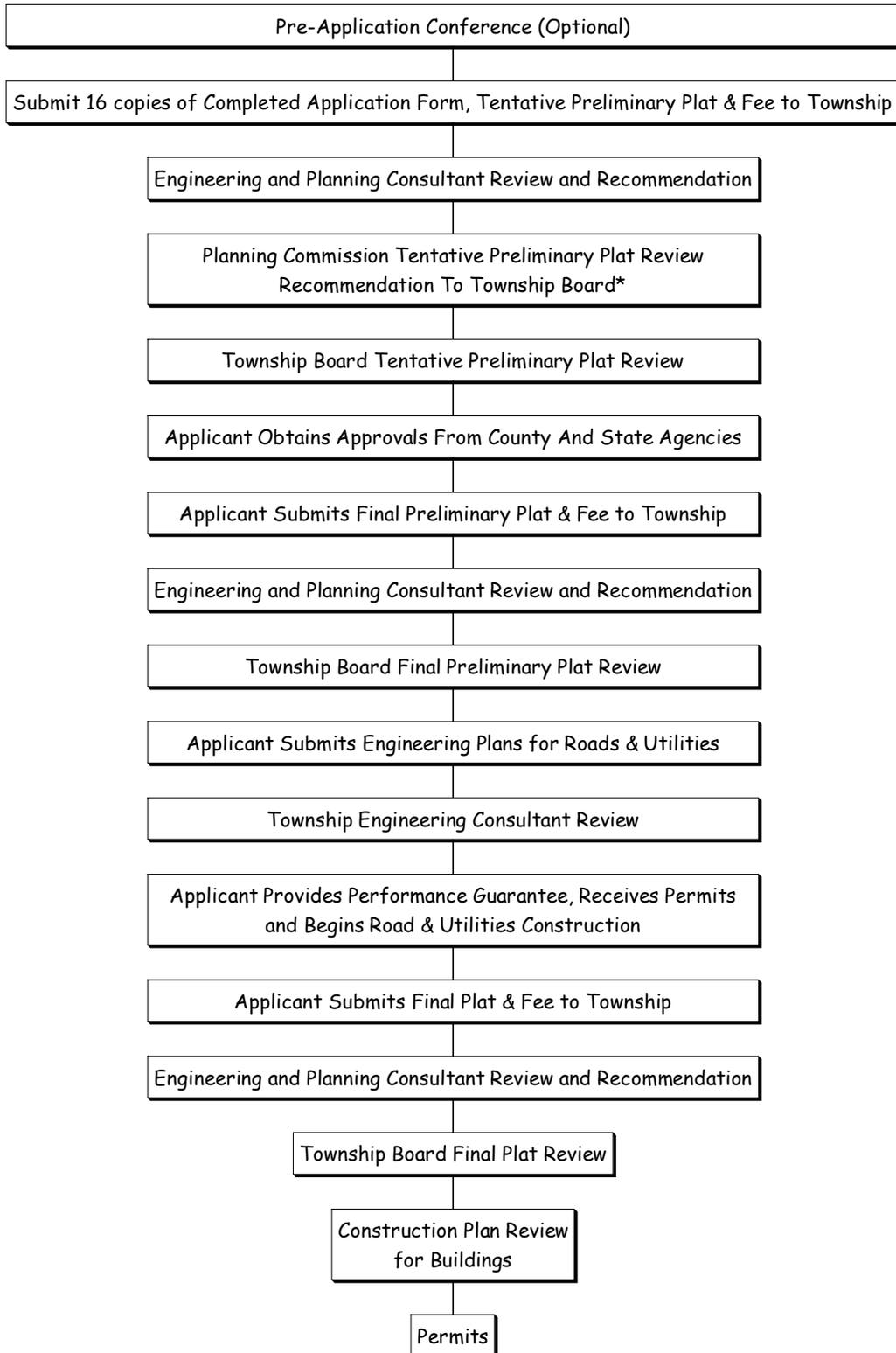
When Can Construction Begin?

Once the final preliminary plat and engineering plans are approved, the construction of improvements such as site grading, underground utilities, roads, and the like may begin, subject to receipt of required permits. House construction, with the exception of model homes, cannot begin until the final plat is approved and recorded with the County Register of Deeds.

How Long Is An Approval Valid?

- Tentative Preliminary Plat approval is valid for 1 year.
- Final Preliminary Plat Approval is valid for 2 years.
- Final Plat approval does not expire.

What is the Subdivision Review Process?



* Applications will be reviewed by the Planning Commission after a positive recommendation is provided by the Township Planner & Engineer. In addition, recommendations will be forwarded to the Township Board only when minor revisions are necessary.

LENOX TOWNSHIP, MACOMB COUNTY, MICHIGAN
CHECKLIST FOR SUBDIVISION PLAT PREPARATION



PRELIMINARY PLAT CONTENTS

- Proposed name of subdivision
- Location and Legal Description
- Names & addresses of proprietors, designer, engineer.
- Seal of Professional who prepared the drawings
- Scale of plat at least 1" = 100' and northpoint
- Drawings preparation date. (Add all revisions dates).
- General site data- total acreage, zoning classification of subject property and adjacent property.

EXISTING CONDITIONS. The preliminary plat shall include:

- An overall area map at a scale of not less than 1" equals 2000' showing the relationship of the subdivision to its surroundings, such as section lines and/or major streets or collector streets shall be provided.
- Boundary line of proposed subdivision, section or corporation lines within ½ mile of the tract and overall property dimensions.
- Property lines of contiguous adjacent tracts of subdivided and unsubdivided land and within ½ mile of the site shall be shown, including roadways in relation to the tract being proposed for subdivision, including those areas across abutting roads. Unplatted landowners shall be designated by name.
- Location, widths, and names of existing or prior platted streets and private streets, and public easements within or adjacent to the tract being proposed for subdivision including those located across abutting roads.
- The location of all man-made and natural features on and within 100 feet of the proposed plat, including, but not limited to, topography, property lines of adjacent parcels, fence lines, curb cuts, streets, and any other especially significant features such as the general location of the floodplain and wetlands within or adjacent to the proposed plat and an inventory of existing regulated trees by type and size.
- Drainage patterns shall be graphically displayed on an accompanying sketch and include the following information:
 - A. River, stream or open (ditch) drainageways and the direction of their flow.
 - B. The direction of surface drainage over the site.
 - C. Ridgelines or watersheds boudnaries, if any are on or within ½ mile of the site.
 - D. Soil drainage characteristics:
 - 1) Well drained
 - 2) Subject to ponding
 - 3) Susceptible to flooding
 - E. Flood hazard areas, wetlands, and hydric soils.



- A site report for subdivisions that will not be served by public water and sewer shall be submitted which provides an analysis of the site soil conditions and other site characteristics which demonstrate ability to meet required County Health Department criteria for septic and well installations.
- Soil types and characteristics as made available by the United States Department of Agriculture Soil Conservation Service shall be sketched and submitted at the same scale as the subdivision site indicating the suitability of the site for the proposed development for subdivision. (See current Soil Survey Macomb County, Michigan)
- Topography, existing and proposed, at two (2) foot intervals. Proposed grading and land filing shall be indicated on the plans along with a description of measures to be used to control sedimentation and erosion. All topographic data shall relate to NGV datum of 1929. Benchmarks for the work shall be indicated on the drawing. If slope gradients of two (2) percent or greater exist on the site, then a sketch shall be presented with shadings for the first two (2) to four (4) percent change; the four (4) to ten (10) percent change; the ten (10) to twenty (20) percent change and the twenty (20) percent and greater change. The topographic and slope gradient sketch shall include the area of the proposed subdivision as well as an area at least 200 feet beyond it.
- The School Board(s) or School Board Superintendent(s) of the School District having jurisdiction in the area concerned shall be informed and made aware of the proposed preliminary plat by the proprietor. A copy of the letter to the School Board(s) or School Board Superintendent(s) shall be submitted to the Township Clerk with the preliminary plat.

PROPOSED CONDITIONS. The preliminary plat shall include:

- Plans and specification of soil erosion and sedimentation control measures in accordance with standards and specifications of the Soil Conservation District.
- Proposed deed restrictions or protective covenants. (May be delayed until the Final Preliminary Plat). If no deed restrictions are proposed, a statement of such in writing.
- Lot layout, dimensions including depth and width of lot at setback line, setback requirements, area in square feet and lot numbers of proposed lots.
- All parcels, public facilities, or lands to be dedicated or reserved for public use, open space, or for use in common by property owners in the subdivision shall be indicated on the preliminary plat, along with any conditions of such dedication or reservation. The plat shall clearly specify dedication of such areas or facilities to the public.
- Statement of intended use of the proposed plat such as residential single-family, two-family and multiple housing, commercial, industrial, recreational, or agricultural.
- The location of stormwater drainage features, with arrows depicting the direction of flow, and indicating in general the methods proposed for stormwater disposal.

- Location and size of all existing and proposed sanitary sewer, septic, storm sewer and water supply lines, wells, or other facilities; location of, and points of connection to, proposed lines; location of valves and hydrants; location, description, and details of any on-site facilities to serve the entire subdivision.
- Identification, location, and nature of all uses other than single family residences to be included within the subdivision.
- Staging of development of the entire subdivision shall be clearly shown on the plat, and the relation of each stage to the entire subdivision plan shall be clearly indicated.
- If the applicant or owner of the subject property also owns or has a legal interest in the acquisition of adjoining land which may be developed in the future as a plat, the applicant shall also submit a tentative conceptual plan showing the feasibility of the development of such adjoining land in relation to the proposed development of the subject property.
- Location, dimensions, and purpose of all existing easements shall be shown on the plat.
- Location and type of sidewalks, street lighting, street trees, curbs, water mains, sanitary sewers and storm drains, man-holes, catch basins and underground conduits.
- In the case where the proprietor wishes to subdivide a given area, but wishes to begin with only a portion of the total area, the preliminary plat shall include the proposed general layout for the entire area. The part which is proposed to be subdivided first shall be clearly superimposed upon the overall plan in order to illustrate clearly the method of development which the proprietor intends to follow. Each subsequent plat shall follow the same procedure until the entire area controlled by the proprietor is subdivided.

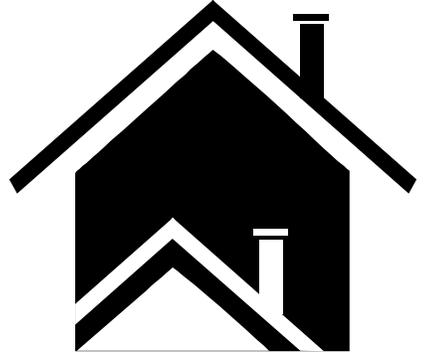
Condominium Subdivision Review Procedure

Condominium Subdivisions are regulated by the state Condominium Act and Section 328 of the Township Zoning Ordinance. In addition, the design and layout of Condominium Subdivisions shall be in conformance with the standards and requirements of the Township's Subdivision Regulations Ordinance No. 21 (except for the platting requirements).

All Condominium Subdivisions require site plan review and approval. Part of the approval process also requires the review of Condominium documents, such as a Master Deed and By-Laws for the Association of Co-owners.

When Do I Apply and What Do I Submit?

Submit the following to the Township Clerk 21 days prior to the Planning Commission meeting (i.e., 4th Monday of each month) for initial staff/consultant review:



- 16 copies of the completed application form
- 16 copies of site plan
- Master Deed and By-Laws (may be submitted as a separate step following the subdivision plan review)
- Legal Description of subject property
- Required fee as established by the Township Board.

What is the Typical Time Frame for the Review Process?

Assuming a pre-application conference is held, and the application materials are complete and accurate, the typical minimum time frame is 5 - 6 months.

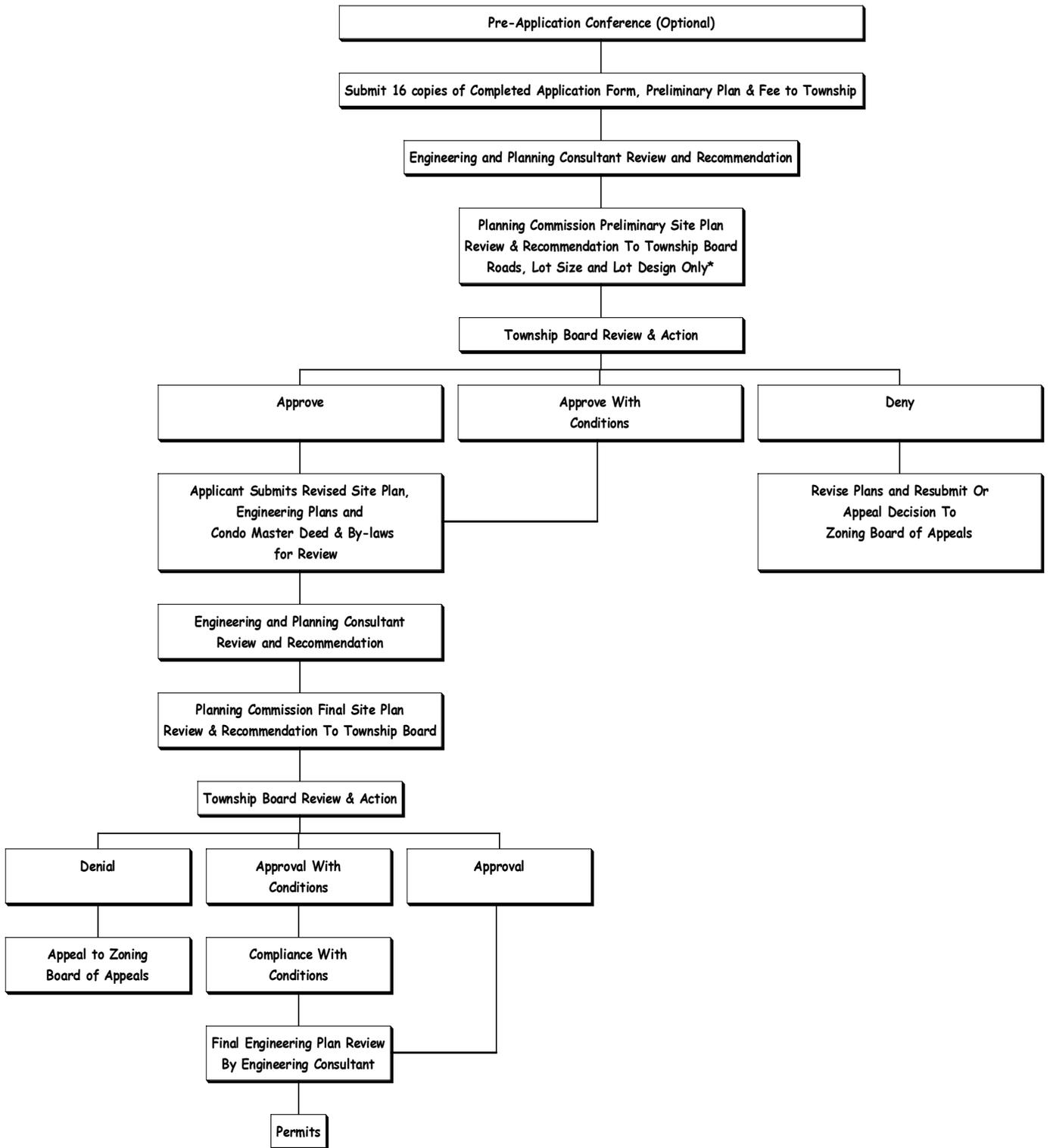
Does An Approved Condominium Subdivision Plan Allow Me To Begin Construction?

No. Condominium Subdivision Plan Approval does not authorize construction. If your site plan is approved, construction plan review, completion of all streets and utilities, recording of Master Deed, and building permits will be required prior to construction.

How Long is a Condominium Subdivision Approval Valid?

Approval is valid for one (1) year, unless an extension is requested by the applicant and granted by the Township.

What is the Condominium Subdivision Review Process?



Lenox Township Checklist for Condominium Subdivision Approval



Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Completed application form
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.a Application fee paid
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.b Escrow deposit for professional review fees
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Proof of ownership by Warranty Deed or Policy of Title Insurance
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Existing and proposed use of any parcels identified as "excepted" on the preliminary, plan indicating how this property could be developed in accordance with the requirements of the existing zoning district in which it is located
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Proposed name of development
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Location of project by Section, Town, and Range, or by other legal description
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. An overall area location map (1" = 1000' is minimum acceptable scale)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Boundary lines of proposed condominium development, and overall property dimensions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Property lines of contiguous adjacent tracts of subdivided and unsubdivided land within 200 feet from the proposed condominium
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Survey plan of condominium, including complete legal description.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Site plan showing the location, size, shape, area, and width of all units
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. Date, northpoint and scale of site plan (1" = 100' is minimum acceptable scale)

Yes No N/A



13. Statement of intended use of the proposed condominium such as residential single-family, industrial, commercial, etc.

14. A certified list of all authorities to which developer has submitted site plan for review (Road Commission, Drain Commissioner, Health Department, MDEQ and the like). Approval of these authorities is required prior to Final Site Plan Approval by the Township.

15. Where streets, storm drainage, sanitary sewage, or the like will outlet to another private entity or private property, the applicant shall provide written authorization by means of drainage easements, access easements or the like.

Natural Features

16. Flood plain or wetland plan

17. Existing topography based on United States Geological Survey Datum, at a minimum contour interval of two feet

18. Proposed topography: Superimposed on the preliminary site plan shall be the proposed contours, at a minimum interval of two feet, for the area including the area at least 100 feet outside of the project boundary.

19. Removal of topsoil from areas to be developed shall be prohibited except in those areas to be occupied by buildings, roads, or parking areas. A plan for storage or stockpiling of topsoil shall be submitted by the developer with the final site plan and shall be approved prior to receiving approval of the final site plan.

20. Vegetation on the site carefully inventoried and sketched as to type and location on a map at the same scale as the preliminary plan.

21. Due regard must be shown for all natural features such as large trees, natural groves, and similar community assets that will add attractiveness and value to the property if preserved. Existing trees shall be preserved wherever possible, removal must be justified to the Planning Commission.



- | Yes | No | N/A | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 22. Areas identified as wetlands on the National Wetlands Inventory Maps shall not be filled, drained, developed, or otherwise altered in any way Protection of such areas shall not be used for density credits or bonuses. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 23. Wetlands, lands subject to flooding or lands otherwise deemed by the Planning Commission to be uninhabitable shall not be developed for residential purposes, or for uses that may in the judgment of the Planning Commission diminish a natural resource or tend to endanger health, life, or property or increase the flood hazard. Such land within a condominium development shall be set aside for other uses, such as open space or parks. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 24. Any areas of land within the proposed development which lie either wholly or in part within the floodway of a stream, creek, or drain, or any other areas which are subject to flooding or inundation by storm water shall require specific compliance with the applicable State law. |

Utilities

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 25. Location of existing utilities, storm drains and other underground facilities within or adjacent to the tract being proposed for development. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 26. Utility plan showing location of all proposed sanitary sewer, water, and storm sewer lines and easements granted to the Township for installation, repair, and maintenance of all utilities. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 27. A set of engineering plans prepared by a Professional Engineer showing all utility improvements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 28. System proposed for sewage disposal by a method approved by the Health Department and reviewed by the Township. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 29. The proposed layout for telephone, electric, and gas utility easements obtained from the utility companies serving the Township. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 30. Easements shall be provided in a uniform location approved by the Planning Commission. Every lot, park or public grounds shall have access of not less than 15 feet wide. |

Yes No N/A

31. Drainage patterns and a storm drainage and stormwater management plan, including all lines, swales, drains, basins, point of outlet at the property line, and other facilities. Method of drainage shall be approved by the Township and the Drain Commissioner. Points of outlet off the site shall include easements for drainage from the affected neighbor(s).



32. Subsoil drainage: Whenever there is reason to expect that any part of the tract has a high water table or unstable subsoil conditions, the submittal shall include a tabulated record and a keyed map of soil borings made by and certified by a registered civil engineer, or registered land surveyor.

33. Separate utility leads to each building site or unit area shall be provided from the main utility line.

34. Plans shall illustrate facilities for detaining stormwater runoff in excess of the agricultural rate (0.2 cfs/acre). Provide calculations to support sizing of all storm water facilities and detention basins.

35. A plan of any proposed water areas, indicating depths, normal water levels, slopes and type of bank retention, method of controlling insects, water growths, and vegetation.

36. Where a development is traversed by a water course, drainage way, channel or stream, there shall be provided a storm easement or drainage right-of-way conforming substantially with the lines of such water course and such further width or construction or both as will be adequate for the purpose. Such easements shall meet the approval of the Township and the County Drain Commissioner.

Streets

37. Location, widths, and names of existing or prior platted streets and private streets, public areas, and public easements within or adjacent to the tract being proposed for development, including those located across abutting roads.



- | Yes | No | N/A | | |
|--------------------------|--------------------------|--------------------------|-----|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 38. | Layout of streets indicating proposed street names, right-of-way widths, and connections with adjoining platted and / or private streets and also the width and location of alleys, existing easements and public walkways. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 39. | Street construction, paving, and maintenance plan for private streets within the proposed condominium subdivision. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 40. | An appropriate street sign shall be erected at each street intersection within the development. The type of sign and location thereof, shall be consistent with design standards of the County Road Commission. Temporary signs shall be installed by the developer before construction is begun to facilitate the location of homesites by emergency vehicles. |

Street Design

- | | | | | |
|--------------------------|--------------------------|--------------------------|-----|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 41. | Major and secondary thoroughfare minimum right-of-way width = 120'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 42. | Collector streets minimum right-of-way = 86 feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 43. | Local street minimum right-of-way width = 66 feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 44. | Cul-de-sac streets minimum right-of-way = 66 feet, with a vehicular turn-around with a minimum diameter of 150 feet and with a paved roadway of not less than 112 feet in diameter. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 45. | The proposed streets shall be considered in relation to existing and planned major thoroughfare and collector streets, and streets shall be planned in the location and the width indicated on the Master Plan |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 46. | The street layout shall provide for continuation of collector streets in adjoining developments or of the proper projections of streets when adjoining property is not subdivided |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 47. | The streets layout shall include local streets so laid out that their use by through traffic will be discouraged. |



Yes No N/A

48. Should a proposed development border on or contain an existing or proposed major thoroughfare, the Planning Commission may require a side lot relationship to the major thoroughfare with an approved screen planting contained in a dedicated nonaccess reservation along the side property lines having a minimum width of 12 feet, or such other treatment as may be necessary for adequate separation of the residential properties from the major thoroughfare.

49. Half streets and alleys are prohibited.

Layout

50. Lot areas, widths, and setbacks shall conform to at least the minimum requirements of the Zoning Ordinance for the district in which the development is proposed.

51. The lot size, width, depth and shape in any development proposed for residential uses shall be appropriate for the location and the type of development contemplated.

52. Layout, number and dimensions of sites, including unit area consistent with building setback lines showing the width of each site at the front setback line.

53. No encroachment of one condominium upon another.

54. Excessive lot depth in relation to width shall be avoided. A depth-to-width ratio of more than 4 to 1 is prohibited.

55. If applicant wishes to develop only part of the proposed property: provide the general layout for the entire area on a sheet identified as the Overall Development Concept. The part which is proposed to be developed first shall be clearly superimposed upon the overall plan in order to illustrate clearly the method of development which the developer intends to follow. Each subsequent phase shall follow the same procedure until the entire area controlled by the applicant is developed.



- | Yes | No | N/A | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 56. Indication of parcels of land intended to be dedicated or set aside for public use and / or for the use of property owners in the development and any lands to be preserved in their natural state. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 57. Parcel or sites intended for purposes other than residential use shall be clearly identified and shall comply with all requirements of the Zoning Ordinance for the intended use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 58. Corner sites in developments shall be designed at least twenty (20) feet wider than the minimum width required by the Zoning Ordinance. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 59. Every site shall front or abut upon an approved street. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 60. Units shall have a front-to-front relationship across all streets where possible. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 61. Side lot lines shall be at right angles or radial to the street lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 62. Residential lots abutting major thoroughfares or collector streets shall be planned with side lot lines parallel to the major traffic streets, or shall be planned with extra depth to permit generous distance between buildings and such trafficway. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 63. Site arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 64. Right-of-way widths of public walkways when not adjacent to or part of a street right-of-way shall be at least 15 feet and dedicated to the public |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 65. Greenbelts may be required by the Planning Commission to screen incompatible features such as highways, commercial or industrial uses from residential properties. If required, greenbelts shall be at least 15 feet wide and shall not be a part of the normal roadway right-of-way or utility easement. |

Yes No N/A

- 66. Maximum length of blocks = 1,500 feet in length. (Upon advice from Township Planner or Township Engineer, the Planning Commission may conclude that conditions justify a greater distance.)
- 67. Widths of blocks determined by conditions of layout and shall be suited to the intended design of the development.
- 68. Before building permits are issued: Evidence, in the form of site plan diagrams, showing topography of proposed development and the proposed surface drainage approved by the Township. It is unlawful to impede, block, change or alter the flow of surface drainage in any manner, or maintain any such impediment or blockage in any manner in any development, without the prior express written approval of the Township.
- 69. Before occupancy permits are issued: Evidence, in the form of a certificate prepared and certified by a registered land surveyor or registered professional engineer, that the yard grading is complete. A cash bond may be submitted to receive a temporary permit to guarantee that said grading will be complete as soon as weather permits. When grading is complete, cash bond shall be refunded.



Master Deed & By Laws

- 70. The proposed Master Deed and By-Laws of the Condominium association shall be submitted for review prior to the Planning Commission granting Final Site Plan Approval.
- 71. Where a condominium development is constructed in phases, subsequent phases shall be identified in the original and all subsequent Master Deeds as "Convertible Areas" for purposes of bringing all condominium owners under the same Master Deed and By-Laws; or
- 72. If each phase is developed as an independent or autonomous condominium, there shall be a Master Association with By-Laws to which each autonomous association shall belong. The purpose of the Master Association, as reflected in its approved By-Laws, shall be the maintenance of facilities and utilities common to all autonomous condominiums, such as but not limited to, streets, sidewalks, water mains, community wells, sewer lines, sewage treatment facilities, and the like.

Private Road Improvements

New private roads are not permitted within Lenox Township. However, there are several existing private roads which afford the only means of ingress and egress to residential homes and vacant properties. The following is an inventory of the existing private roads:



- Donovan
- Daldenhar
- Cranston
- Victoria
- Avendt
- Rogan

An application must be submitted before improvements to these roads can be made. Refer to the Private Road Ordinance for specific standards for improvements and maintenance of the existing private roads.

What Do I Submit?

Submit 10 copies of the following to the Township Clerk:

- Completed application form
- Engineering plans of the proposed roadway construction
- Private Road Maintenance Agreement
- Legal Description of subject property, private road easement, all resulting parcels, and drain / utility easements.
- Required fee as established by the Township Board.

A checklist and a sample for the Private Road Maintenance Agreement is provided and should be used in the preparation.

**LENOX TOWNSHIP
APPLICATION FOR EXISTING PRIVATE ROAD IMPROVEMENTS
AND PERMIT FOR CONSTRUCTION**

An application for approval of a private road must be accompanied by ten (10) copies each of this completed application form, the legal description of the private road easement, engineering plans for construction of the roadway, and the proposed road maintenance agreement, as well as all required application, review and inspection fees, as enumerated in Township Ordinance.

APPLICATION FOR APPROVAL

APPLICANT

Name _____

Address _____

Phone _____

LEGAL OWNER

Name _____

Address _____

Phone _____

Legal Owner's Signature

FIRM OR INDIVIDUAL WHO PREPARED PLANS

Name _____

Address _____

Phone _____

**LENOX TOWNSHIP
CHECKLIST FOR PREPARATION OF
PRIVATE ROAD MAINTENANCE AGREEMENT**

Adopted By Township Board Resolution _____, 20 ____

MANDATORY COMPONENTS

- _____ Attach an Exhibit "A" that describes all parcels of property served by the private road and subject to the agreement.
- _____ Provide legal description of the roadway easement.
- _____ Include as "purpose" the maintenance of the private roadway and easement by all benefiting property owners on "Exhibit A".
- _____ Agreement shall create a homeowners association.
- _____ The association shall have at least one meeting each year to elect officers and set a budget.
- _____ The association shall estimate its expenses and assess the cost equally to each owner.
- _____ There shall be provision made for extraordinary repairs.
- _____ Each landowner shall be required to pay his/her assessment and the association shall have legal rights to compel payment, including the power to file and foreclose a lien on delinquent properties.
- _____ The association shall notify Lenox Township annually of the association representative who is responsible for repair work.
- _____ Amendments shall require unanimous consent of all owners.

OPTIONAL (ELECTIVE) COMPONENTS

- _____ Create new easements for future public utilities.
- _____ Provide for Township repair, upon default of the association, with collection via an assessment on all properties.

**LENOX TOWNSHIP
SAMPLE DECLARATION OF ROAD AND UTILITY EASEMENTS
AND ROAD MAINTENANCE AGREEMENT**

Adopted By Township Board Resolution _____, 20

This declaration made this ____ day of _____, 20____, by _____ Road Homeowners Association.

WHEREAS, the only means of access to the parcels of property served by _____ Road is the private road easement; and

WHEREAS, the purpose of this declaration is to insure safe and convenient access to all parcels of property served for the owners, their guests, authorized vendors and contractors, and the public emergency services vehicles and personnel; and

WHEREAS, the only access to the parcels is by means of a private road which neither the township nor the county is obligated to maintain; and

WHEREAS, it is also the purpose and intention of this declaration to provide for the maintenance of the roadway easement by the owners, their heirs, executors, administrators, agents and assigns of the parties.

NOW THEREFORE, IT IS DECLARED that a roadway and utility easement is created on _____ Road as described in Exhibit A, together with a road maintenance agreement that shall be binding on the current owners and future purchasers of all individual parcels and the heirs, personal representatives, successors and assigns of the parties.

1. ROAD AND UTILITY EASEMENT. A _____ foot wide private road including utility easements described on Exhibit A are created for the purpose of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and removing pipelines, mains, conduits and other installations of a similar character for public utilities, including conveyance of sewage, water and storm water runoff across through and under the property described as the easement, excavating and refilling ditches and trenches necessary for the location of the utility services for the benefit of the owners of the parcels. Each owner of the parcels served by _____ Road acquires title to an indivisible interest to all of the private road property.
2. PRIVATE ROAD ASSOCIATION. There is hereby created a Private Road Association which consists of all the owners of parcels located within the above described property. Membership in the Association is mandatory for each property owner. The owners of each parcel have one vote in the Association. The Association shall annually elect a president, secretary and treasurer.
3. ASSOCIATION MEETINGS. Each year, on the first _ of _____ the Association members shall meet for the purpose of electing a Board of Directors (the "Board") and officers and approving a maintenance program and budget for the coming year. A landowner may vote in person or by proxy. For purposes of the annual meeting and setting of the budget, it is not necessary that a majority of landowners be present in persons or by proxy in order that valid meeting be held. Questions shall be approved or disapproved by a majority of those present in person or by proxy and voting at the annual meeting or any special meeting called for purpose of this Declaration.

4. Special meetings may be called with 10 days written notice to all landowners by the President of the Board or upon request of any two members.
5. ESTIMATE OF EXPENSES. The Board shall obtain from at least two private road contractors each year the cost of maintaining the private road in accordance with reasonable standards of the Township of Lenox. The determination of the necessity for repairs or maintenance to the private road shall be made by the Board and shall include, but is not limited to, grading, repair of drainage structures, repair of frost or water damage, removal of trees, snow removal or plowing. The selection of the party or parties who provide the materials and or labor for the repairs or maintenance shall be made by the Board.
6. EXTRAORDINARY REPAIRS. Any deficiencies in the fund for extraordinary costs or repairs and maintenance to the private road shall be covered and payment made by the owners on demand in the same proportion as the yearly contribution to the fund is made. Delinquent payments may be collected under the same procedures specified for annual assessments.
7. ASSESSMENT. Each landowner shall pay an annual assessment equal to his proportional share of the budget approved by the Association. The proportion of the budget paid by each landowner shall be equal to the proportion of the total number of parcels of land which he owns.
8. ASSESSMENT COLLECTION. All assessment payments shall be made payable to the treasurer of the Association. Payment is due thirty (30) days after the assessment is mailed. The treasurer shall place all funds collected in the Association account at the banking institution selected periodically by the Board.
9. FAILURE TO PAY ASSESSMENT. If any landowner is in default for any assessment payment of 30 or more days, the Association may bring suit to collect the assessment, together with any costs of collection. Additionally, the Association may file a lien against the land in the public records and foreclose the lien as provided by law.
10. MAINTENANCE AND REPAIR WORK. The Board chairman shall arrange for such maintenance and repair work as has been approved by the Association. All bills for approved work shall be paid by the Board treasurer after approval by the officer designated for this purpose by the Board.
11. NOTICE TO TOWNSHIP. The Association shall provide the Township Clerk with the name and address of the representative appointed to have responsibility for road maintenance. In the event that the Association neglects to maintain or repair the road, and following thirty (30) days after transmittal of notice from the township to the last name and address provided to the Township for the appointed representative, the Township, or its successor, shall have the power and authority to enter upon the property, or cause its agents or contractors to do so, and perform such maintenance and repair as the Township determines to be appropriate. The cost and expense of such maintenance and repair may be collected by the Township by the establishment of a special assessment district.
12. SUBSEQUENT OWNERS. This agreement shall run with the land and shall be binding on all future landowners. Any landowner selling a parcel shall notify the purchaser of the terms of this agreement and the fact that the purchaser will be bound by the terms of this agreement.
13. REMEDIES. By acceptance of title, each landowner vests in the Association the right and power to take any legal action which it may deem necessary or advisable. Upon violation of any restriction or

breach of any covenant, the Association may enforce it by a suit for money judgement, by foreclosing of the lien securing payment, or by an action in equity seeking a mandatory injunction.

- 14. If a landowner makes any payment of any amount less than that due hereunder, the Association may accept the amount less than that due hereunder, the Association may accept the amount as a payment on account without waiver of any remedy otherwise available to it. The Association is not bound by any notation on any check involving such payment.
- 15. In addition to all other remedies, the Association may enter upon the land as to which such violation or breach exists, and summarily abate and remove at the expense of the owner any construction or other violation that may exist contrary to the intent and provisions of this Declaration and the Association is not thereby liable for trespass, abatement, removal or in any other manner.
- 16. Failure of the Association to complain of any acts or omission on the part of landowner, no matter how long the same may continue, is not a waiver by it of any of its rights under this Declaration. Any and all rights and remedies the Association has under this Declaration or by operation of law upon any violation are separate and cumulative and shall not be deemed inconsistent with each other, and no one of them, whether exercised by the Association or not, are to the exclusion of any other, and any two or more of all such rights and remedies may be exercised at the same time.
- 17. AMENDMENTS. Amendments to this agreement may only be adopted by the unanimous written agreement of all landowners.

Witnesses:

Signing for the

_____ Road
Homeowners Association

STATE OF MICHIGAN
COUNTY OF _____

Subscribed and sworn to before me this _____ day of _____ by _____.

Notary Public, _____ County, MI

My Commission Expires:

POND REVIEW PROCEDURE

Prior to the construction, expansion, or cleaning of a pond that will result in the removal of over 30 cubic yards of material, a site plan must be submitted to the Building Inspector for review and approval.

When Do I Apply and What Do I Submit?

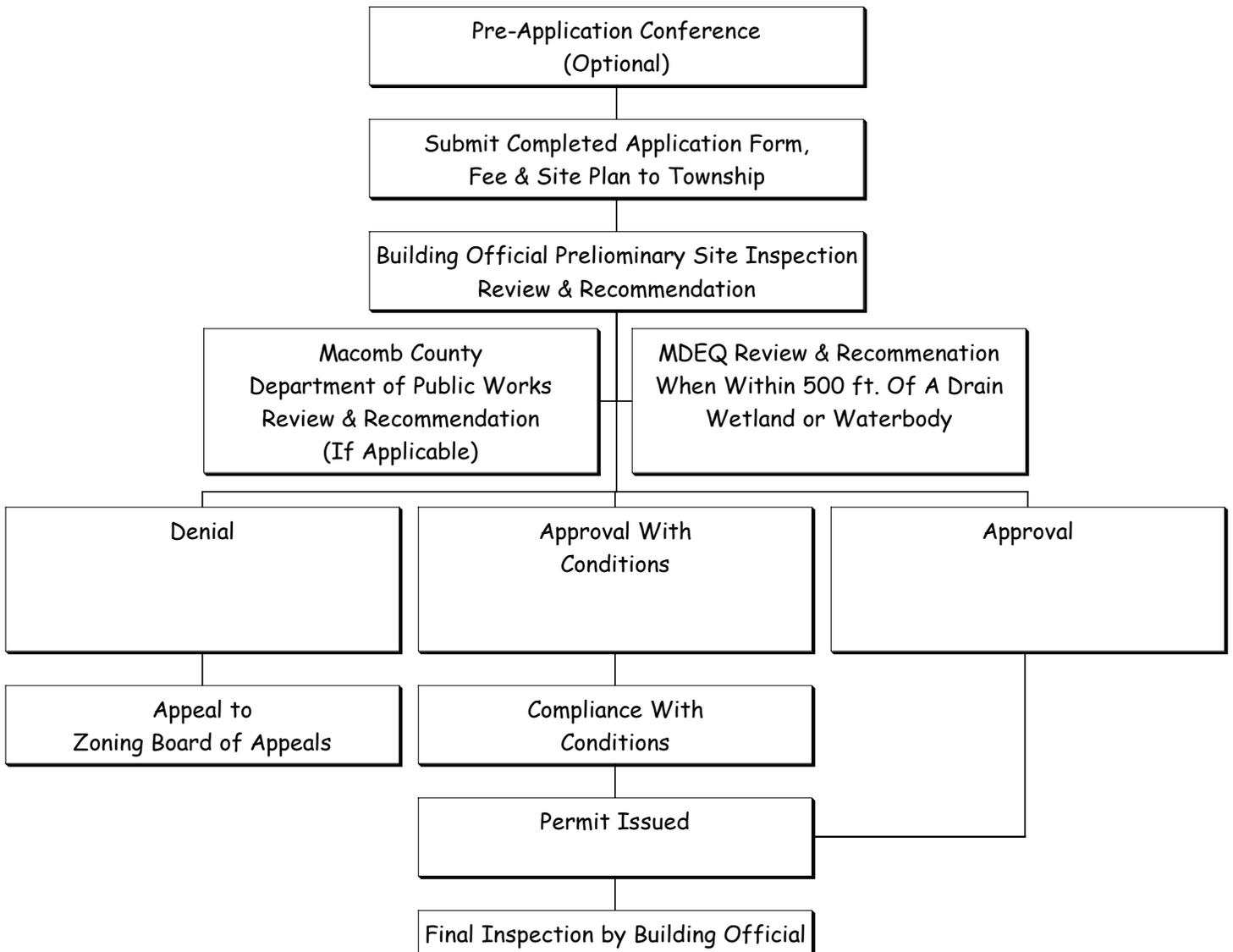
Submit the following information to the Building Inspector.

- 10 copies of the completed application form must be submitted to the Township
- Required fee as established by the Township Board
- 10 copies of a site plan illustrating the following:
 - Property lines and dimensions.
 - All existing and proposed structures on the site and on adjacent parcels within 100' of the site.
 - Location of the proposed pond.
 - Location of all wells, septic tanks, drainage fields, and tile drains (including agricultural drains) on the site and within 100' of the site.
 - Setbacks (distance) in feet from the proposed pond to all property lines, rights of way, existing and proposed structures, wells, septic tanks, drainage fields and tile drains on the site.
 - Location of all existing and proposed fencing, berming and land balancing, including the location, height and slope of all areas where excavated materials (spoils) will be placed on site.
 - Spot elevations sufficient to determine the location, grading and drainage patterns created by the pond and all associated land balancing, berming and excavation.
 - Location of all wetlands, streams, rivers, lakes, drains or other waterbodies.

What is the Typical Time Frame for the Review Process?

Assuming the application materials are complete and accurate, the typical minimum time frame is 2 weeks. Where review by the Macomb County Department of Public Works is required, the process may be extended up to 30 days, and where MDEQ review is required, the process may take up to 90 days.

What Is the Pond Review Process?



POND CONSTRUCTION STANDARDS
Lenox Township

1. Where a pond will be used for swimming, there shall be no slope in excess of 5:1 (five feet horizontal to one foot vertical) until the water reaches a depth of five (5) feet, on the beach side of the pond. In no case shall any slope exceed a ratio of 3:1.
2. There shall be a minimum setback of twenty-five (25) feet from the excavation to the nearest point of any side of the house or other buildings on the same parcel.
3. All ponds shall require the maintenance of minimum lifesaving devices. A Coast Guard approved life ring attached to 50 feet of suitable rope is mandatory along with one of the following: Planks, wooden ladders or wooden poles of at least twelve (12) feet in length.
4. Where a pond will be used for swimming, a suitable rope with flotation devices shall be properly anchored to mark the line along which the pond reaches a depth of five (5) feet.
5. All excavated soil material must be used on the same parcel as the pond. No materials may be hauled off-site. Excavated materials used for grading around the pond shall not be placed closer than twelve (12) feet to the edge of the excavation.
6. There shall be a minimum setback from a septic tank and/or tile disposal field based on the type of soils as follows:
 - 50' - heavy clay soil
 - 75' - clay loam, sandy loam soils
 - 100' - sandy, loamy sand soils
7. There shall be a minimum setback of one hundred (100) feet from all property lines and street right-of-way lines, based upon the planned future right-of-way as shown on the Township's adopted Thoroughfare Plan.
8. The minimum depth of a pond shall be twelve (12) feet. To prevent winter fish kills, a depth of fifteen (15) feet is recommended. The maximum depth of all ponds shall be eighteen (18) feet.
9. The maximum size of any one pond shall not exceed twenty thousand (20,000) square feet and the cumulative total of all ponds on any one parcel of land shall also not exceed twenty thousand (20,000) square feet.
10. All ponds shall be completed within forty-five (45) days of commencement but not less than sixty (60) days following issuance of the pond permit.
11. The minimum site size required for the construction of all ponds shall be five (5) acres.
12. Plans submitted should show the location and approximate depth of any domestic water supply well.

APPLICATION FOR POND APPROVAL
Lenox Township

A site plan shall be submitted to the Building Inspector for review and approval and a building permit obtained prior to the construction of all ponds, enlargement of an existing pond, or the cleaning of a pond that results in the removal of over 30 cubic yards of material. (See construction standards).

1) Applicant's Name _____

Address _____

City/State/Zip _____ Phone Number (____) _____

2) Address and legal description of property where pond will be constructed _____

(Use back of this sheet, if necessary).

3) Contractor who will perform the work:

Name _____

Address _____

City/State/Zip _____ Phone Number (____) _____

4) Will excavated soil material be hauled off-site? _____

The estimated number of cubic yards to be hauled off-site is _____

Date: _____

Signature of Owner

Date: _____

Signature of Owner

Date of Approval and Issuance of Building Permit:

Date: _____

Building Inspector's Signature

Review and Inspection Fee \$ _____

SIGN PERMIT REVIEW PROCEDURE

All permanent and temporary signs must comply with the provisions of Section 304 of the Zoning Ordinance, and require site plan approval from the Planning Commission followed by a sign permit from the zoning administrator prior to installation.

When Do I Apply and What Do I Submit?

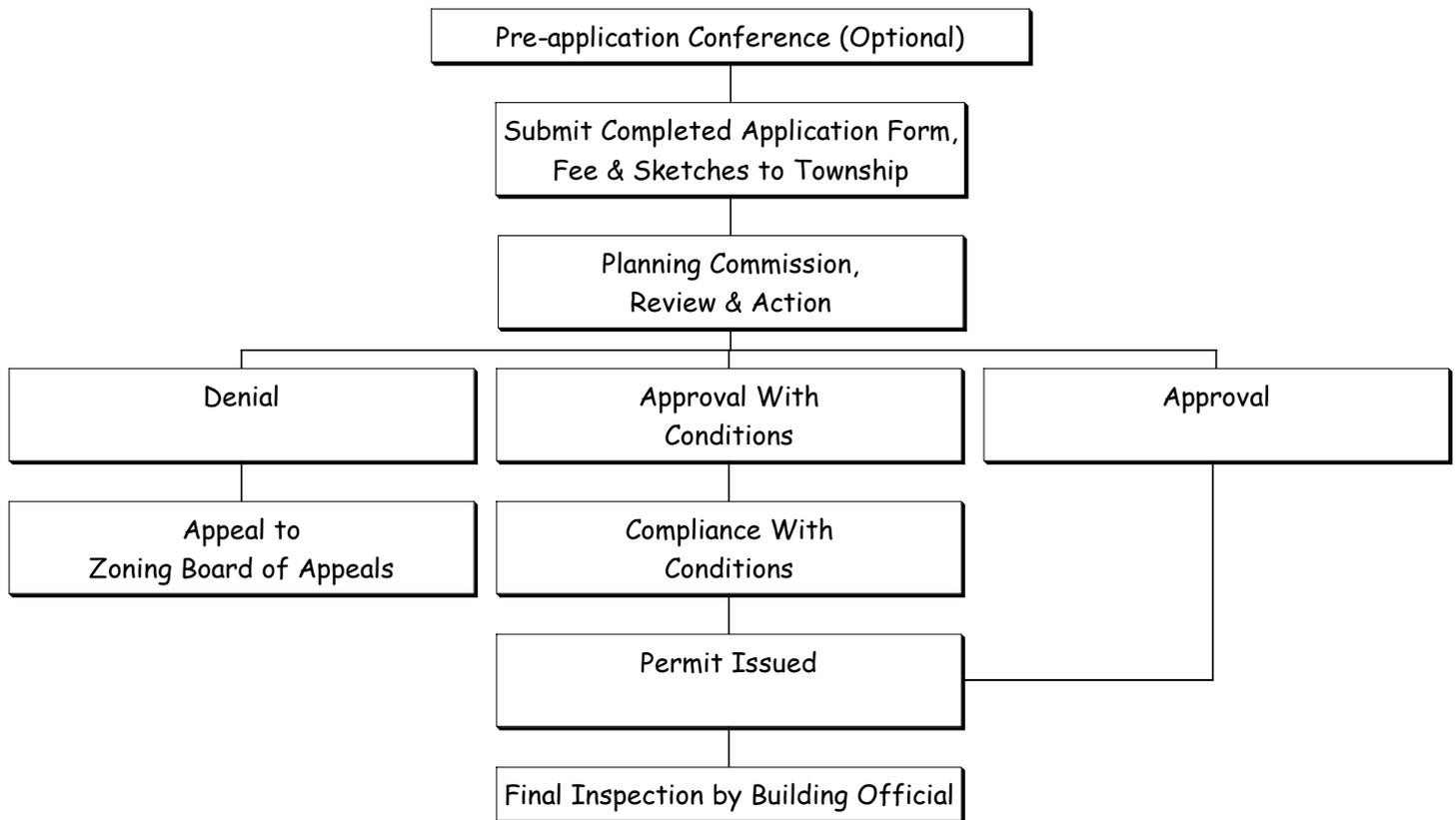
Submit the following information to the Township Clerk:

- 10 copies of the application form and attachments
- Required Fee as established by the Township Board
- 10 copies of scaled drawings which provide the following:
 - the location of the subject property and current zoning classification
 - a scale drawing of each sign, in the colors of the finished sign, indicating the size, shape, message, lettering style, and materials of the finished sign (all required copies must also be in color)
 - building elevation sketches showing the position and size of each sign on the building and the location and size of any existing sign(s) on the same structure.
 - for free-standing signs, a site plan sketch showing the sign height, location of the sign on the site, and verifying compliance with all setback requirements
 - for free-standing signs, the site plan sketch shall illustrate any proposed landscaping around the sign, the size of the landscaped area, details regarding proposed plant material (quantity, species, size and method of maintenance)
 - if the sign will be illuminated, plans shall include all details regarding the location, type of fixture, color of the illumination, and method of shielding the lighting equipment to prevent glare.

What is the Typical Time Frame for the Review Process?

Assuming the application materials are complete and accurate, the typical minimum time frame is 4 weeks.

What Is the Sign Permit Review Process?



SIGN PERMIT APPLICATION
Lenox Township, Michigan

OWNER _____ BUILDER _____

ADDRESS _____ ADDRESS _____

PHONE _____ PHONE _____

TYPE OF BUILDING _____ ZONING _____

WALL SURFACE AREA FACING FRONT LOT LINE _____ SQ.FT

TYPE OF SIGN: (Circle those which apply)

Attached Free-standing One-sided Two-Sided Awning

SIZE OF SIGN - TOTAL SURFACE AREA, LARGEST SIDE _____ SQ.FT

SIGN HEIGHT ABOVE GRADE: _____

SETBACKS FROM: Front Lot Line _____ Side Lot Lines _____

METHOD OF ILLUMINATION AND DESCRIPTION OF LIGHTING EQUIPMENT/FIXTURES:

For all new signs, if Planning Commission approval has not been granted, this application shall be held in abeyance until approval is obtained. See Section 304 of the Zoning Ordinance for details. Attach plans and specifications for referral to the Planning Commission, showing the design of the sign, height, location on the site, surface area and method of illumination.

I hereby certify that the above information is true and correct.

OWNER OR CONTRACTOR

APPLICATION/PERMIT FEE \$ _____

DATE: _____

PERMIT NO. _____

Lenox Township

COMMUNITY IMPACT STATEMENT

INTENT

The community impact statement is intended to provide a format for applicant's to document the anticipated impacts of intensive development projects proposed as Special Land Uses in Lenox Township. Intensive land uses often have significant impacts on public services and the environment that must be understood in order for the Township to have a complete understanding of the development proposal.

CONTENTS

The CIS should address the items below in a concise manner that accurately portrays the information given.

General

1. Brief description of the land use proposed. Include hours of operation (if applicable), impacts on adjacent uses (noise, smoke, etc.), and other pertinent data. Is the land use proposed consistent with the Master Plan and Zoning Ordinance?
2. Brief description of surrounding land uses.

Community Facilities and Services

3. Estimated demand on police services.
4. Estimated demand on fire services. Include special equipment requirements.
5. Estimated number of sewer and water taps and demand.
6. Describe any other significant impacts or needs related to community facilities and services.

Economics

7. Anticipated number of construction and permanent jobs (in full-time equivalents).
8. Anticipated tax revenues to the Township and School District.

Environment

9. Describe the area and type of natural features on site including streams, rivers, bodies of water, wetlands, woodlands, etc. How will these features be impacted by the proposed development (e.g. loss of wetlands, potential pollution of water bodies, etc.)?
10. Will the proposed use include the manufacture, use, or storage of any hazardous materials? If so, describe the types and quantities, storage areas, and product containment measures. Also provide a spill response plan.
11. Provide a complete description of the types and quantities of pollutants that are expected to be emitted into the air as a result of this proposal, and describe how state and federal air quality standards will be met.
12. What impact will the proposed development have on groundwater quality and quantity? Describe necessary mitigation measures.

Noise

13. What impact will the project have on area noise levels? The applicant should document that the noise standards contained in the Zoning Ordinance Performance Standards will be met. Noise levels at the property line should be specified.

Traffic

14. What are the proposed traffic impacts of the development? How many trips per day will be generated? How much truck traffic? What is the anticipated impact of this additional traffic at the proposed development intersection(s) with a public road(s)?

Mapping

15. Provide a current aerial photograph of the site and surrounding properties within 1,500 feet. Include an overlay showing the proposed development area and existing residential dwellings within 1,500 feet.

APPENDIX

APPLICATION FOR MINING PERMIT
LENOX TOWNSHIP, MICHIGAN

1. The undersigned (include name, address, and phone number - if a corporation list also the corporation officers)

NAME ADDRESS/ZIP PHONE NUMBER

Does hereby file five (5) copies of this Application with the Lenox Township Clerk, Township Offices, 63775 Gratiot, Lenox, Michigan, 48050.

2. The property proposed for mining is located on the _____ side of _____ Road, between _____ and _____ Roads, and is more accurately described by the attached Legal Description:

3. Attach hereto the necessary information as required by the Lenox Township Zoning Ordinance (Ordinance No. 2-93, as amended) and the Soil Removal Ordinance No. 2-99.

- a) Check One:
1. Pit Operation _____
2. Strip Operation _____
- b) A sketch indicating the location of the property from which Earth Materials are to be removed. This sketch should be accurate and clearly drawn on white paper with black ink at a scale of 1" = 400 feet.
- c) A site plan of the proposed use drawn in accordance with Sections 305 and 1816 of the Zoning Ordinance and the Soil Removal Ordinance No. 2-99.
- d) The application shall be accompanied by a written statement consenting to inspection and setting forth in detail the method and means of operation.
- e) The application shall contain information disclosing:
1. The extent of development, improvement and general purpose of the proposed operations.
2. Time (daylight hours) of operation proposed.
3. Comments from the County Road Commission on roads affected.
4. Comments from County Drain Commission on drains affected.

4. Are you the owner of the property? _____ Yes ___ No. If not, attach consent of the owner and rights to mine or extract earth materials.

5. Fee: \$ _____ Receipt No. _____
(To cover Public Hearing and Publication)

License Fee: \$ _____ Receipt No. _____

Signature of Applicant(s)

Date: _____

By: _____

APPLICATION FOR LAND FILL PERMIT
LENOX TOWNSHIP, MICHIGAN

1. The undersigned (include name, address, and phone number - if a corporation list also the corporation officers)

NAME ADDRESS/ZIP PHONE NUMBER

Does hereby file five (5) copies of this Application with the Lenox Township Clerk, Township Offices, 63775 Gratiot, Lenox, Michigan, 48050.

2. The property proposed for mining is located on the _____ side of _____ Road, between _____ and _____ Roads, and is more accurately described by the attached Legal Description:

3. Attach hereto the necessary information as required by the Lenox Township Zoning Ordinance (Ordinance No. 2-93, as amended):

- a) Type of fill to be used (check one):
1. Earth 2. Non-putrescible 3. Putrescible
- b) A sketch indicating the location of the property on which the fill is proposed. This sketch should be accurate and clearly drawn on white paper with black ink at a scale of 1" = 400 feet.
- c) The application shall be accompanied by a written statement consenting to inspection and setting forth in detail the method and means of operation.
- d) Have you applied for State Department of Health License: Yes ___ No ___
- e) Comments from County Road Commission on roads affected.
- f) Comments from County Drain Commission on drains affected.

4. Are you the owner of the property? _____ Yes ___ No. If not, attach consent of the owner and rights to fill.

5. Fee: \$ _____ Receipt No. _____
(To cover Public Hearing and Publication)

License Fee: \$ _____ Receipt No. _____

Signature of Applicant(s)

Date: _____

By: _____

PUBLIC HEARINGS - NOTICE PROCEDURES

A. REZONING

1. Newspaper Notice - must be published in a paper of general circulation in the Township and should contain a description of the proposed change, legal description of the property, and the date, time and place of the public hearing.
2. Written Notice - same wording and information as the newspaper notice. The notice must be sent by regular US Mail to the owner of the property being considered, to all property owners within 300 feet of the subject property, and to the occupants of all structures within 300 ft. (this includes homes and businesses for large apartment or business complexes with more than four separate units, one notice may be sent to the manager or owner requesting that be/she post said notices in the main entrance) not less than 15 days prior to the hearing.
3. Notice to Utilities - notice must also be sent to each electric, gas, pipeline, and telephone public utility company, and to each railroad operating within the district or zone affected, that registers its name and address with the Township Clerk for the purpose of receiving public hearing notices.

B. SPECIAL LAND USE APPROVAL

Before the Township Planning Commission makes a decision for approval or denial of a special land use, notice of a public hearing must be given.

1. Newspaper Notice - one notice not less than 15 days prior to the hearing and state the following:
 - a) Describe the nature of the special land use request.
 - b) Indicate the property which is the subject of the special land use request.
 - d) State when and where the public hearing will be held at which public comment will be taken and the request will be officially considered.
 - e) Indicate when and where written comments will be received concerning the request.
3. Written Notice - same wording and information as the newspaper notice. The notice must be sent by regular US Mail to the owner of the property being considered, to all property owners within 300 feet of the subject property, and to the occupants of all structures within 300 ft. (this includes homes and businesses for large apartment or business complexes with more than four separate units, one notice may be sent to the manager or owner requesting that be/she post said notices in the main entrance) not less than 15 days prior to the hearing.

C. ZONING BOARD OF APPEALS

All appeals require the ZBA to conduct a hearing. Notice of the hearing shall be published in a newspaper of general circulation not more than 15 days before the hearing. Notice of the time and place of a public hearing and a description of the request shall be mailed to the owners of all lots or parcels of land within three hundred (300) feet of the subject parcel and to the applicant, by regular U.S. mail, not less than fifteen (15) days before the hearing.

Notice of Public Hearing – Rezoning
Lenox Township Planning Commission

Notice is hereby given that the Lenox Township Planning Commission will hold a public hearing on Monday, _____ (date) _____ beginning at _____ (time) _____ p.m. at the Lenox Township Hall, 63775 Gratiot, Lenox, MI 48050. The purpose of the hearing is to receive public comments on a proposed rezoning from _____ to _____ on the following described property, _____ (General Description of Property Here)

A complete copy of the application for rezoning may be examined at the office of the Township Clerk, Mondays through Thursdays except holidays, during regular Township business hours.

Written comments may be sent to the Planning Commission, at the address above, prior to the hearing. Oral comments will be taken during the hearing.

This notice is provided pursuant to the requirements of Michigan Public Act 110 of 2006, as amended.

Jodi Kethe, Clerk
Township of Lenox

Publish Notice in The Voice:

Newspaper Notice: _____ (Must appear not less than 15 days prior to hearing).

Notice by Mail: (To all property owners within 300 feet not less than 15 days prior to the hearing).

Notice of Public Hearing - Zoning Ordinance Text Amendment

Lenox Township Planning Commission

Notice is hereby given that the Lenox Township Planning Commission will hold a public hearing on Monday, _____ (Date) beginning at _____ (Time) p.m. at the Lenox Township Hall, 63775, Lenox, MI 48050. The purpose of the hearing is to receive public comments on proposed amendments to Sections _____ of the Lenox Township Zoning Ordinance Number 2-93,

(General Description of Changes Here)

A complete copy of the text of the proposed amendments may be examined at the office of the Township Clerk, Mondays through Thursdays except holidays, during regular Township business hours.

Written comments may be sent to the Planning Commission, at the address above, prior to the hearing. Oral comments will be taken during the hearing.

This notice is published pursuant to the requirements of Michigan Public Act 110 of 2006.

Jodi Kethe, Clerk
Township of Lenox

Publish Notice in The Voice:

Public Notice: _____ (Must appear not less than 15 days prior to hearing).

**ZONING ORDINANCE TEXT AMENDMENT
PROCEDURAL SEQUENCE**

<u>Action</u>	<u>Date</u>	<u>By:</u>
<input type="checkbox"/> Planning Commission request for planner to formulate draft text amendment.	_____	_____
<input type="checkbox"/> Planning Commission review of draft (s).	_____	_____
<input type="checkbox"/> Planning Commission sets date for public hearing.	_____	_____
<input type="checkbox"/> Notice of Planning Commission public hearing sent to newspaper for publication on (date of publication): Published: _____ (Not less than 15 days before public hearing)	_____	_____
<input type="checkbox"/> Planning Commission public hearing.	_____	_____
<input type="checkbox"/> Planning Commission recommendation sent to Township Board. <input type="checkbox"/> approval <input type="checkbox"/> denial <input type="checkbox"/> other: _____	_____	_____
<input type="checkbox"/> Notice of Township Board public hearing sent to newspaper for publication on: (date of publication): _____ This step is <u>optional</u> , by decision of Township Board.	_____	_____
<input type="checkbox"/> Township Board action. <input type="checkbox"/> approval <input type="checkbox"/> denial <input type="checkbox"/> other: _____	_____	_____
<input type="checkbox"/> Notice of Township Board action sent to planner and planning commission.	_____	_____
<input type="checkbox"/> Notice of adoption sent to newspaper for publication on (date of publication): _____ (within 15 days of adoption)	_____	_____
<input type="checkbox"/> Effective date (7 days following publication)	_____	_____
<input type="checkbox"/> Zoning ordinance text amendments incorporated into zoning ordinance.	_____	_____
<input type="checkbox"/> Notes:		

**REZONING / MAP CHANGE
PROCEDURAL SEQUENCE**

<u>Action</u>	<u>Date</u>	<u>By:</u>
<input type="checkbox"/> Complete application for rezoning received by Township.	_____	_____
<input type="checkbox"/> Copy of application and all attachments sent to planner for review.	_____	_____
<input type="checkbox"/> Planning Commission sets date for public hearing.	_____	_____
<input type="checkbox"/> Notice of public hearing sent to newspaper for publication on (date of publication):	_____	_____
Published: _____ (Not less than 15 days before Public Hearing)		
<input type="checkbox"/> Notice of public hearing sent to neighbors etc. Mailed : _____ (Not less than 15 days before Public Hearing)	_____	_____
<input type="checkbox"/> Planning Commission public hearing.	_____	_____
<input type="checkbox"/> Planning Commission recommendation sent to Township Board.	_____	_____
<input type="checkbox"/> approval <input type="checkbox"/> denial <input type="checkbox"/> other: _____		
<input type="checkbox"/> Notice of Township Board public hearing sent to newspaper for publication on (date of publication) _____ (Not less than 15 days before Public Hearing) This step is <u>optional</u> , by decision of Township Board.	_____	_____
<input type="checkbox"/> Township Board action.	_____	_____
<input type="checkbox"/> approval <input type="checkbox"/> denial <input type="checkbox"/> other: _____		
<input type="checkbox"/> Notice of Township Board action sent to planner and Planning Commission.	_____	_____
<input type="checkbox"/> Notice of adoption sent to newspaper for publication on (date of publication): _____ (within 15 days of adoption)	_____	_____
<input type="checkbox"/> Zoning map amended.	_____	_____
<input type="checkbox"/> Notes:		

LENOX TOWNSHIP

