***Village of Millington***

***Internal Review Process***

***Zoning Permits (includes zoning for any construction or building relocation that does not require site plan approval)***

1. **Have customer fill out appropriate permit**
* get an email if possible
* get a site plan if required (fences, buildings, anything that will add to the existing building that may come out to property line or sidewalk)
* look up parcel number if necessary

 Were all of the application materials included?

1. If no, notify the applicant of the application deficiencies and hold any further action until all the materials are received.
2. If yes, continue to Step 2.
3. **Processing the Application Fee**

Office Staff Only: Go into Cash Receipting in BS&A –

Received of: Applicant name

Description: Type of Zoning Permit, address

CR Code: ZF

Enter Amount, see Fee Schedule

Print 2 receipts, give one to applicant and put other in receipt box by register.

Stamp the permit form PAID.

1. **Zoning book, fill out.**
2. Go into the Zoning 3-ring binder under the appropriate permit type, (i.e. zoning, fence, demo etc...)
3. Assign a number, always starts with the year-each permit type has its own set of numbers, located at the top of the log sheet, for example, zoning are all in 200’s (2019-200). Enter this number in the top right corner of the permit.
4. On log sheet, enter
* date of permit
* name & address of applicant
* reason for permit
* permit number
* fee paid.

 d. The last column is for the date we send the permit to the assessor, do not fill this in yet.

1. **Scan document**
2. Scan all documents.
3. Go into Scanned documents and rename folder with zoning type, address and last name (ex. Zoning Permit\_8569 State St\_Village)
4. Email to Zoning Administrator. It is also good practice to text the Zoning Administrator to let them know you just sent them an email.

**5. Approved Permit** –Zoning Administrator will review and within 15 calendar days of the receipt of a complete application and will then send it back approved, or denied. If approved:

1. Email it to customer if possible – if not, call them to come get their copy
2. Print a copy of the signed permit for zoning book (2 if customer is coming to pick one up)
3. Save the signed permit to Server10 - ZONING - Zoning Administrator Folder – under appropriate address and under “Send to Heather” Folder
4. Assessor – the permits going to the assessor – label with their parcel number if possible (EX. 041.016.000.8000.00\_Zoning\_4989 Center), save in folder “Send to Assessor”.
5. Once a month email these to hjmacdermaid@yahoo.com. Write the date you emailed them in the last column of the zoning book.

**6. Permit Denied** – if Zoning Administrator denies the permit, applicant receives reasons in writing and appeal process. If they wish to appeal the denial:

1. Application for variance or appeal may be taken by the Zoning Administrator or Village Office
2. Process the application fee (see Step 2)
3. File appeal with zoning administrator if it was not originally filed with him/her.
4. Zoning administrator shall transmit the same, together with all plans, specifications and other papers pertaining to the application or appeal to the Zoning Board of Appeals.
5. After paperwork has been filed, the ZBA shall fix a reasonable time for the hearing of the appeal. Any interested party is encouraged to attend.
6. For variance or appeal involving a specific parcel of land, the Village Clerk shall mail notice of the hearing, 15 days prior to the hearing, to the applicant and to all residents or owners of real property within 300 feet of the premises in question, including property outside the village limits.
7. For all hearings, a notice shall be published in the Millington Herald, a newspaper of general circulation in the village at least 15 days prior to the hearing. Notice shall include:
	* 1. Nature of the hearing
		2. Date
		3. Time
		4. Location of hearing
		5. If applicable, the address of the property or if no address is assigned, a general description of its location and legal description
		6. Time and place where a copy of the request can be reviewed and how comments can be submitted to the ZBA.

h. The board shall decide all applications within a reasonable timeframe. Copy of the board’s decision shall be transmitted to the applicant and to the zoning administrator. The decision of the ZBA is binding and the zoning administrator must adhere to it. He shall incorporate the terms and conditions of the same in the permit to the applicant whenever a permit is authorized by the board.

**7. Submitting for publishing – appeals hearings**

Email Barb Maxfield with the following message and attach a Word copy of the notice:

 SUBJECT: Notice of Public Hearing

 Date: {Date Sent}

 Please publish the attached notice of public hearing in the {date you want it published} edition of the Millington Herald, and please furnish an affidavit of publication.

Attached notice to email.

***Site Plan Review***

Review the application package for conformance with the following standards:Site Plan Review - (Chapter 36, Article 10 of the Village of Millington’s Code of Ordinances).

 1. Pre-application received (for site plan)– schedule a pre-application meeting if requested. The pre-application meeting is a chance for the applicant to ask any questions about the project and what is required in the site plan. Actual site plan documents are not required at this meeting, but may be helpful if they are completed.

2. Processing the Application Fee

Office Staff Only: Go into Cash Receipting in BS&A –

Received of: Applicant name

Description: Type of Zoning Permit, address

CR Code: ZF

Enter Amount, see Fee Schedule

Print 2 receipts, give one to applicant and put other in receipt box by register.

Stamp the permit form PAID.

 3. Completed application and site plan are submitted to the Zoning Administrator at least 21 days prior to the next Planning Commission meeting. If plans are dropped off to the Village Office, submit the plans to the Zoning Administrator to review and check for any missing documentation.

 4. Zoning administrator will submit the plans to the site plan review committee consisting of:

* Fire Chief
* Village Police Chief
* Village DPW Superintendent
* Village President
* Village Engineer
* Village Attorney
* MDOT – if project is off of M15 or will affect M15
* MDEQ – if project is near a body of water, Millington Creek or the lagoons.

 5. Written reviews will be received by the Village within 5 days from distribution. Make copies of all comments and send to applicant and to all Planning Commission board members in the meeting packets.

 6. Schedule meeting with Planning Commission – the planning commission now has the responsibility to approve, approve with specific changes, or denied. Any conditions or changes stipulated by the Planning Commission shall be recorded in the minutes and a copy of conditions or changes shall be given to the applicant and zoning administrator.

 7. Meeting packets are then prepared by the zoning administrator containing a copy of the application, a copy of the site plan (if required), a copy of any building plans or elevations and a copy of all comments are distributed to the Planning Commission 15 days prior to the scheduled meeting. Electronic copies will be used when possible and emailed to the appropriate personnel.

 Planning Commission – 9 copies

 Zoning Administrator

 An electronic copy of the packet is also posted on the Village Website.

**Application Finalization**

After consideration of the application by the Planning Commission a letter is sent to the applicant with the determination of the review:

1. Approved as submitted without any conditions. If a site plan is attached to the application, 3 copies are certified and signed, (signed by Chairman of the Planning Commission, Zoning Administrator and developer) and attached to the letter. Signed copies are distributed to the following:

a. the Planning Commission or ZBA

b. the Zoning Administrator

c. the Applicant

 2. Approved subject to conditions. If a site plan is approved with conditions, the conditions must be listed in and/or attached to the letter.

 a. If the site plan is connected to the application, a certified, signed copy of the site plan is attached to the letter ONLY if the conditions of approval do NOT include modifications to the site plan.

 b. If site plan modifications are needed, the first letter will indicated that the applicant must submit an updated site plan meeting the new conditions to receive final approval. Upon receipt of a site plan meeting those conditions, a second letter indicating final approval is sent with a certified, signed copy of the final site plan.

 3. Denied. The Planning Commission, ZBA, or staff has denied the application. Reasons for denial are outlined in the letter along with information about appeal of that decision.

All letters are distributed in the following ways:

* Electronic copy to the Zoning folder.
* Hard copy gets filed in Parcel drawers in Village Office.
* Electronic or hard copy gets sent via email or mail to:
* Applicant
* Zoning Administrator
* Village Attorney
* Village Assessor

***Special Use Permits***

Review the application package for conformance with the following standards:Special Use Permit - (Chapter 36, Article 11 of the Village of Millington’s Code of Ordinances).

 1. Completed application and site plan are submitted to the Zoning Administrator at least 21 days prior to the next Planning Commission meeting. If plans are dropped off to the Village Office, submit the plans to the Zoning Administrator to review and check for any missing documentation.

2. Processing the Application Fee

Office Staff Only: Go into Cash Receipting in BS&A –

Received of: Applicant name

Description: Type of Zoning Permit, address

CR Code: ZF

Enter Amount, see Fee Schedule

Print 2 receipts, give one to applicant and put other in receipt box by register.

Stamp the permit form PAID.

 3. Zoning administrator will submit the plans to the site plan review committee consisting of:

* Fire Chief
* Village Police Chief
* Village DPW Superintendent
* Village President
* Village Engineer
* Village Attorney
* MDOT – if project is off of M15 or will affect M15
* MDEQ – if project is near a body of water, Millington Creek or the lagoons.

 4. Written reviews will be received by the Village within 5 days from distribution. Make copies of all comments and send to applicant and to all Planning Commission board members in the meeting packets.

 5. The zoning administrator, at least 15 days prior to next planning commission meeting, shall give public notice in a newspaper of general circulation a notice

*Submitting publication:*

Email Millington Herald with the following message and attach a Word copy of the notice:

 SUBJECT: Notice of Public Hearing Date: {Date Sent}

 Please publish the attached notice of public hearing in the {date you want it published} edition of the Millington Herald, and please furnish an affidavit of publication.

Attached notice to email.

Notice must contain:

* Nature of special use permit
* Indicate the property in question by address, or by tax parcel ID and a general description of its location.
* State the time and place where the special use request will be considered
* Indicate when and where a copy of the application can be inspected and written comments will be received concerning request.

Public hearing notice shall also be mailed or delivered to property owners and occupants within 300 feet of the property in question, even if it falls in the Township. The notices must be mailed at least 15 days prior to the date of the public hearing. An affidavit of mailing or delivery of notice shall be maintained by the Village Clerk.

Notice of hearing shall also be mailed or delivered to the Millington Township Planning Commission if project is within 300 feet of the township/village boundary.

 6. Schedule public hearing with Planning Commission at least 15 days prior to the public hearing – the planning commission now has the responsibility to approve, approve with specific changes, or denied. Any conditions or changes stipulated by the Planning Commission shall be recorded in the minutes and a copy of conditions or changes shall be given to the applicant and zoning administrator.

 7. Meeting packets are then prepared by the zoning administrator containing a copy of the application, a copy of the site plan (if required), a copy of any building plans or elevations and a copy of all comments are distributed to the Planning Commission 5 days prior to the scheduled meeting. Electronic copies will be used when possible and emailed to the appropriate personnel.

 Planning Commission – 9 copies

 Zoning Administrator

 An electronic copy of the packet is also posted on the Village Website.

**Application Finalization**

After consideration of the application by the Planning Commission at the public hearing, a decision is made regarding Special Approval based on standards found in Chapter 36, Article 11 of the Village of Millington’s Code of Ordinances. Within 5 business days of Planning Commission decision, a letter outlining the decision is mailed to the applicant and zoning administrator.

1. Approved as submitted without any conditions. If a site plan is attached to the application, 3 copies are certified and signed, (signed by Chairman of the Planning Commission, Zoning Administrator and developer) and attached to the letter. Signed copies are distributed to the following:

a. the Planning Commission or ZBA

b. the Zoning Administrator

c. the Applicant

 2. Approved subject to conditions. If a site plan is approved with conditions, the conditions must be listed in and/or attached to the letter.

 a. If the site plan is connected to the application, a certified, signed copy of the site plan is attached to the letter ONLY if the conditions of approval do NOT include modifications to the site plan.

 b. If site plan modifications are needed, the first letter will indicated that the applicant must submit an updated site plan meeting the new conditions to receive final approval. Upon receipt of a site plan meeting those conditions, a second letter indicating final approval is sent with a certified, signed copy of the final site plan.

 3. Denied. The Planning Commission, ZBA, or staff has denied the application. Reasons for denial are outlined in the letter along with information about appeal of that decision.

All letters are distributed in the following ways:

* Electronic copy to the Zoning folder.
* Hard copy gets filed in Parcel drawers in Village Office.
* Electronic or hard copy gets sent via email or mail to:
* Applicant
* Zoning Administrator
* Village Attorney
* Village Assessor

***Rezoning***

1. Rezoning of a parcel is an amendment to the zoning map and may be initiated by the Village Council or Planning Commission upon filing with the zoning administrator a resolution duly adopted identifying the proposed parcels and new zoning classification or by the owner of that parcel or a person with written permission of the owner by filing the following with the zoning administrator:
* An application for rezoning.
* A map at a scale of not less than 1”=50’ showing the subject parcel in relation to adjoining parcels of land.
* The necessary fees for such zoning change.
* A copy of the deed to the property.
* If the applicant is submitting a conditional rezoning request as authorized under Section 405 of the Michigan Zoning Enabling Act, the application will include the conditions proposed.
1. Public Hearing: The Village Clerk shall give notice of the time and place of the Planning Commission public hearing where amendment will be heard, by publication of a notice in a newspaper of general circulation in the village.

Notice of the time and place of the hearing shall be sent to the following not less than 15 days before the hearing:

* By mail to each public utility company and to each railroad company owning or operating within zoning districts that has registered its name and mailing address with the village for the purpose of receiving such notice. An affidavit of mailing shall be maintained.
* In the case of a proposed map amendment, notice will be sent to all owners of property within three hundred feet (300’) of the parcel in question even if the parcel is outside the village limits.
* Millington Township Planning Commission if the proposed rezoning is within three hundred feet (300’) of the township/village boundary.

 3) At the public hearing, the Planning Commission shall provide the public and the applicant with a reasonable opportunity to comment on the proposal.

 4) Following the public hearing, the Planning Commission shall consider the request. The Planning Commission may recommend approval, denial or postpone the request for further study. The Planning Commission shall consider the standards for zoning amendments included in Section 1202 of the Millington Zoning Ordinance when making a recommendation.

 5) A record of the public hearing, a written recommendation, and reasons for the recommendation shall be provided to the Village Council for their consideration.

 6) At the next regularly scheduled Village Council meeting following the receipt of the Planning Commission’s report, the Village Council shall consider the proposed amendment and may take the following actions on a zoning amendment:

* Approve the proposed amendment.
* Deny the request.
* Hold a public hearing on the matter before making a decision, in which case the Village Council will provide the same notice provided for the Planning Commission public hearing.
* Consider changes to the proposed amendment.
* Table the request for further information.

 7) Upon presentation of a protest petition meeting requirements of this subsection, an amendment to a zoning ordinance which is the object of the petition shall be passed only by a two-thirds (2/3) vote of the Village Council before final legislative action on the amendment, and shall be signed by one of the following:

* The owners of at least twenty (20%) percent of the area of land included in the proposed change.
* The owners of at least twenty (20%) of the area of land included within an area extending outward one hundred (100) feet from any point on the boundary of the land included in the proposed change.
* Publicly owned land shall be excluded in calculating the twenty (20) percent land area requirement.

 8) Adoption of the zoning amendment – one (1) notice of adoption shall be published in a newspaper of general circulation in the village within fifteen (15) days of adoption. The notice shall include:

* A summary of the regulatory effect of the amendment or the actual text of the amendment.
* The effective date of the ordinance.
* The place and time where a copy of the ordinance may be purchased or inspected.

 9) In the case of an approved conditional rezoning request, the village shall record an affidavit signed by the Planning Commission Chairperson and the zoning applicant outlining the approved conditions including the length of time the conditions apply. If the approved time frame expires with the property owner meeting the conditions, the village may initiate rezoning of the property.

 10) Send records and description of parcel to engineering firm that keeps a record of the zoning map so that it may be updated.