

**ARTICLE XV
STANDARDS FOR SPECIAL APPROVAL USES**

SECTION 15.1 STATEMENT OF PURPOSE

This section provides a set of procedures and standards for special use of land or structures which because of their unique characteristics, require special consideration in relation to the welfare of adjacent properties and the community as a whole.

The regulations and standards, herein, are designed to allow, on one hand practical latitude for the investor or developer, but at the same time maintain adequate provisions for the protection of the health, safety, convenience and general welfare of the community.

SECTION 15.2 SPECIAL APPROVAL PROCEDURES

The application for a Special Approval Use shall be submitted and processed under the following procedure:

- A. An application shall be submitted through the Building Inspector on a special form for that purpose. Each shall be accompanied by the payment of a fee as established by the Township Board.

In the event the allowance of a desired use requires both a rezoning and permission for a Special Approval Use, both requests may be submitted jointly, subject to the following:

1. The Ordinance procedure for each shall be followed as specified.
 2. All applicable standards and specifications required by the Ordinance shall be observed.
- B. The following is required for all Special Approval Uses.
1. The special form shall be completed in full by the applicant including a statement by the applicant that Section 15.2 can be complied with.
 2. A completed site plan as specified in Article XVI, Site Plan Review.
- C. The application together with all required data shall be transmitted to the Township Planning Commission for review. The Township Planning Commission shall then hold a public hearing. In such cases the notice requirements for public hearings shall be followed. (Ord. 1-D, eff. 8/93)
- D. A Special Approval Use granted pursuant to this Article shall be valid for one (1) year from the date of approval. If construction has not commenced and proceeded meaningfully toward completion by the end of this one (1) year period, the Building Inspector shall notify the applicant in writing that the expiration of the permit for the Special Approval Use may terminate following determination by the Township Board.
- E. The Township Board shall have the authority to revoke any Special Approval Use after the applicant has failed to comply with any of the applicable requirements of this Article or any other applicable sections of this Ordinance.

SECTION 15.3 SPECIAL APPROVAL STANDARDS

Before formulating recommendations for a Special Approval Use application, the Township Planning Commission shall require that the following general standards in addition to those specific standards established for each use, shall be satisfied:

(Ord. 1-D, eff. 8/93)

- A. The Township Planning Commission shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find/adequate evidence that each use on the proposed site will:

(Ord. 1-D, eff. 8/93)

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance, with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
 2. Be served adequately by essential public facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools.
 3. Not create excessive additional requirements at public costs for public facilities and services.
 4. Not involve uses, activities, processes, materials and equipment or conditions or operation that will be detrimental to any persons, property or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
 5. Be consistent with the intent and purpose of the Zoning District in which it is proposed to locate such use.
- B. The Township Board upon review, may approve or disapprove of a special approval use, and may stipulate such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard, or requirement shall constitute a violation of this Ordinance in accordance with the provisions of Section 20.1, herein.
- C. All applicable licensing ordinances shall be complied with.