



CITY OF EASTPOINTE
PLANNING AND ZONING
PROCEDURES MANUAL

Revised October 2021

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SITE PLAN REVIEW

October 2021

Planning Commission Application & Fees

The fees to be charged to the Applicants are as follows:

Planning Commission:

- Regular or Special Meeting: 400.00
- Special Land Use Approval: 500.00
- Rezoning: 1,200.00

PLUS:

- Application Review: Actual Engineering, Planner and Attorney fees,
..... Plus 10% administrative fee

With the submission of the application, the Applicant is to include the following deposit:

- Commercial and Industrial: \$2,000.00
- 1 & 2 Family Residential: \$1,000.00

Any additional costs incurred by the City of Eastpointe, above and beyond the original application deposit, shall be paid by the Applicant upon request. In the case all monies are not exhausted, a refund shall be given back to the Applicant. All additional fees shall be paid prior to the issuance of any building permit.

Date: _____

Application No.: _____

Review Fee: \$ _____

PLANNING COMMISSION

SITE PLAN REVIEW APPLICATION
SPECIAL LAND USE APPLICATION
REZONING AND / OR PARKING P-1

The undersigned hereby makes application to the Eastpointe Planning Commission for the following purpose(s): _____ Site Plan Approval _____ Special Land Use Approval _____ Rezoning

Meetings of the Planning Commission are normally scheduled for the first Thursday of each month at 7:00 p.m. at the City Hall. The application and all necessary information must be submitted to the Building Department at least thirty (30) days prior to the meeting. The Applicant or his representative must be present when action is taken.

Re-submittals of drawings or information is required 15 days in advance of the meeting.

Applicant's Name: _____ Address: _____

City: _____ State: _____ ZIP: _____ Phone #: _____

Name of Proposed Development: _____

Proposed Use: _____

Parcel Identification Number: _____

Complete Legal Description (use opposite side, or attach separately)

Existing Zoning: _____ Proposed Zoning: _____ Size (in acres): _____

Legal Owner: _____

Name

Address

Phone #

Signature of Applicant

Signature of Legal Owner (if not Applicant)

(print name below signature)

(print name below signature)

Critical Developer Information

The following list of meetings should be noted for scheduling approvals from various boards:

- Planning Commission: 1st Thursday of each month at 7:00 p.m.
- Zoning Board of Appeals: 3rd Thursday of each month at 7:00 p.m.
- City Council: 1st and 3rd Tuesday of each month at 7:00 p.m.

The following list of administrative staff should be noted for securing necessary information:

Building Official:	Erin Hardcastle	586-204-3022
Fire Marshal:	Brian Marquardt	586-445-5056
Consulting Engineers:	Anderson, Eckstein & Westrick Steve Pangori, Ryan Kern	586-726-1234
Planning Consultant:	McKenna Associates Laura Haw	248-596-0920
City Manager:	Elke Doom	586-445-3661

Zoning

Contact the Building Department to determine whether your intended use is properly zoned.

The Zoning Ordinance and Map can be purchased at City Hall, or viewed from a link on our website:

<http://www.cityofeastpointe.net/>

The following sections of the ordinance will provide valuable information:

- Zoning – Chapter 50
- Setback requirements (schedule of regulations)
- Building Requirements: Chapter 50 Planning and Zoning, Chapter 10 Building & Housing
- Parking requirements: Chapter 50
- Streets, Utilities & Public Services – Chapter 38
- Business Regulations – Chapter 12
- Site Plan Review – 50-159

Link to the Municipal Code website for the complete ordinance:

<http://library.municode.com/index.aspx?clientID=14693&stateID=22&statename=Michigan>

Site Plan Review:

Once you have proper zoning, you are ready to make application for Site Plan Review. The application packet can be secured from the Building Department. It will contain:

1. Site Plan Application form
2. Site Plan Review Checklist

The review process follows:

Applicant submits application to Building Department:

1. The review fee is paid.
2. The correct application forms are attached and properly complete.
3. Eight (8) paper copies and one (1) electronic version of the site plan and floor plan meeting the specifications of Eastpointe zoning, Section 50-159 Site Plan Review, of the City of Eastpointe Code are submitted; additional information as requested on the checklist is also required.
4. Application must be made a minimum of thirty days prior to the scheduled meeting. This does not guarantee review of THE site plan by Planning Commission. It will be reviewed by all departments heads for completeness before proceeding to the Planning Commission. You will be notified by the Building Official when the application review process is complete and the hearing scheduled.
5. Copies of the application and site plan are forwarded to the reviewing agencies by the City.
6. Comments from the reviewing agencies will be furnished to the Applicant by the Building Department prior to the scheduled Planning Commission meeting.
7. The Planning Commission will act on the site plan in one of three ways.
 - a. Approve the site plan
 - b. Table approval of the site plan
 - c. Deny approval of the site plan
8. If approval of the site plan is given, the Developer will receive a copy of the approved plans.
9. Revised site plans shall be routed in the same manner as an original site plan.
10. Applicant must furnish three (3) copies of full site development and detailed building plans for application for building permit.
11. Planning Commission approval is valid for a period of one (1) year from the date of approval. If the Applicant does not obtain a building permit and commence construction or petition the Planning Commission for, and receive, an extension, such site plan approval shall be deemed void

at the end of the one-year period. Site plans tabled by the Planning Commission shall be given a time limit. The Applicant will be made aware of the time limit.

SPECIAL USES

The additional following steps will be taken for all special uses:

1. A Special Use requires a Public Hearing
2. Planning Commission makes recommendation to the City Council
3. The City Council will make a final determination on the application

REZONING AND / OR PARKING P-1

The additional following steps will be taken for all Rezoning:

1. A rezoning requires a public hearing
2. Planning Commission makes recommendation to the City Council
3. Prior to rezoning request going to City Council, the County Planning Commission reviews request and submits their recommendations.
4. The City Council will make a final determination on the application

REQUIREMENTS TO BE MET BEFORE BUILDING PERMIT WILL BE ISSUED:

1. Payment of all fees charged on Planning Commission Case must be paid by applicant.
2. Escrow account to be established with the City for onsite inspections of the City Engineers or Planners (for construction phase).
3. Payment of water and sewer charges.
4. Taxes must be current.
5. Driveway or approach permits from State Highway Dept, Macomb County Road Commissioner, and City D.P.W.
6. Soil Erosion permit from Macomb County.
7. Performance bond.
8. Building Permit fees and construction document review fees.
9. Building construction plans must be reviewed and approved by Building Department. Allow one week for review. Permit application must be submitted.

SITE PLAN REVIEW CHECKLIST

Submission Requirements:

- Fee Paid
- Adequate copies of plans
- Prints sealed by registered architect or Engineer
- Complete legal description
- Site Zoning _____
- Proposed structures and improvements
- Existing structures and improvements
- Yard (front/rear/side)
- Screening areas and walls
- Number of parking spaces
- Pavement type
- Sign location
- Utilities
- Dimensions between site features
- Scale and northpoint
- Plans with Architect/Engineer name, phone #
- Cost estimate of all site improvements, including landscaping, walls, berms, parking areas, lighting, signs
- Masonry/decorative wall – cross section
- Site drainage plan/ existing and proposed
- Ground elevations at 50' intervals
- Identify any outdoor storage requirements

Review Relationships:

- Road relationships
- Emergency vehicles access
- Vehicular circulation
- Pedestrian circulation

- Pedestrian circulation
- Off-street parking
- Size in Acres
- Location map
- Existing and proposed ROW
- Driveway and street approaches
- For subject and adjacent properties
- Adjacent zoning, buildings or improvements
- Building elevations and floor plans
- Building surface material
- Site topography and vegetation
- Statistical data (residential)
- Pedestrian circulation
- Exterior lighting
- Trash receptacles and method of screening
- Landscape layout – type of landscaping
- Equipment size and location (industrial)
- Surface drainage characteristics
- Hazardous substances
- Traffic Impact Statement (if required)
- Sidewalks, size for proposed and existing
- Off-street loading/unloading

- Environmental features
- Health, safety and welfare
- Activity areas and buildings located to minimize adverse impact
- Screening and buffering to avoid nuisances

CITY OF EASTPOINTE

SITE PLAN REVIEW PROCEDURES

WHEN IS A SITE PLAN REQUIRED?

A Site Plan is required whenever the following conditions apply:

1. Whenever a building permit is required for the erection or structural alteration of a building (other than a single-family home and accessory building to such dwelling).
2. Wherever a parking or storage area is to be used or constructed.
3. For any change in use from a lower to a more intensive use which increases dwelling density, off-street parking or loading needs, traffic generation.
4. For all applications for Special Land Use Approval.
5. Any Planned Unit Development.
6. The construction of masonry walls.
7. Any other items which the Building Official determines Planning Commission review is necessary.

SUBMISSION REQUIREMENTS:

Submit eight (8) paper copies and one (1) electronic version of the Site Plan and completed application form to the Building Department at least thirty (30) days prior to a scheduled Planning Commission meeting; fifteen (15) days prior for resubmissions. The Site Plan shall meet all applicable submission requirements of Article V of the Eastpointe Zoning Ordinance. The completed application must be accompanied by the required fee as established by the City.

PUBLIC NOTICES AND REQUIREMENTS:

The Planning Commission shall provide notice to all the residents within three hundred (300) feet of the site of the proposed project and shall take comments on the application up to and at the time the application is considered by the Planning Commission.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission shall review the Site Plan with reference to all applicable requirements of the City of Eastpointe Zoning Ordinance and the comments of all applicable review agencies and shall approve as submitted, grant a conditional approval, or deny the Site Plan request. The Planning Commission shall have the sole power to act on any Site Plan submitted to the City.

The Planning Commission shall act on the Site Plan as follows:

Approval:

Upon determination that a Site Plan is in compliance with the Zoning Ordinance, as amended, and other applicable regulations, the Site Plan shall be approved. Upon approval, the City shall stamp, date and sign three (3) sets of plans, noting any special conditions or requirements on each set of plans. The City shall keep two (2) sets of plans; the Applicant shall receive one (1) set. If, upon determination by the City that a Site Plan is in compliance with all applicable requirements, except for minor changes, said revisions shall be so indicated on

the Site Plan. When these changes have been adequately provided, the applicant may resubmit the Site Plan to the Planning Commission for review prior to final approval.

Disapproval:

If extensive revisions to the Site Plan are necessary to meet the Zoning Ordinance and/or other applicable requirements, the Site Plan shall be disapproved and the applicant requested to prepare an alternative Site Plan. In this case, "DISAPPROVAL" shall be written on the Plan and the reasons for disapproval indicated. If the applicant desires to prepare an alternative plan, a new plan shall be submitted as specified by these procedures.

Certification of Plans:

When approval has been granted by the Planning Commission, the Planning Commission Chair shall sign three (3) sets of plans, noting any special conditions or requirements on each set of plans. The final signed Site Plan shall become the official city copy and a copy forwarded to the Building Inspector for the issuance of building permits.

APPROVAL PERIOD:

Upon approval of a site plan by the Planning Commission, a building permit shall be requested by the petitioner within twelve (12) months or the site plan shall be declared to be invalid. Upon receipt of a building permit, reasonable construction shall be commenced within six (6) months and reasonably continued or the site plan and building permit shall be declared to be invalid, unless the petitioner requests an extension and obtains a renewed building permit from the Building Inspector. No building permit shall be issued by the Building Inspector until such time as the Planning Commission has approved the site plan.

SPECIAL LAND USE

October 2021

CITY OF EASTPOINTE

SPECIAL LAND USE PROCEDURES

SUBMISSION REQUIREMENTS:

Eight (8) paper copies and one (1) electronic version of an Application for Special Land Use shall be filed with the Building Department at least thirty (30) days prior to the regularly scheduled Planning Commission meeting; fifteen (15) days for resubmissions. Depending on the required notice and publication procedures, earlier submissions may be required. The Application shall be accompanied by a folded Site Plan meeting the requirements of the Eastpointe Zoning Ordinance and the required fee as established by the City Council.

PUBLIC HEARING NOTICES AND REQUIREMENTS:

The Planning Commission shall hold a public hearing in consideration of all Special Land Use applications. One (1) Notice of Public Hearing shall be published in a newspaper of general circulation in the City. The Notice shall appear in the paper at least fifteen (15) days prior to the Public Hearing date.

The Notice of Public Hearing shall also be sent to the owners and occupants of property within three hundred (300) feet from the property lines of the property which is the subject of the request for Special Land Use approval. Notices shall observe the same time requirements noted above and shall contain the following information:

- The nature of the special land use request.
- The property which is the subject of the special land use request.
- Where and when the request will be considered.
- Where and when written comments will be received concerning the request.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission shall review each request with respect to all applicable Zoning Ordinance requirements and the comments of all applicable review agencies and make a recommendation to the City Council to either approve or deny the request for Special Land Use Approval. The Planning Commission may or may not take action at the Public Hearing.

CITY COUNCIL ACTION:

The Eastpointe City Council shall have the sole authority to act on any application for Special Land Use Approval. The City Council shall take action on said application as follows:

Approval:

Upon determination by the Eastpointe City Council that an Application complies with the Zoning Ordinance, as amended, and other appropriate plans and regulations, approval will be so indicated on the Site Plan and endorsed on the written application and clearly set forth in writing thereon the particular uses(s) which have been allowed. Thereafter, the Building Department may issue a building permit in conformity with the particular

Special Land Use so approved. In all cases where a particular Special Land Use has been granted, as provided herein, application for a building permit in pursuance thereof must be made and received by the City within one year from the date of approval.

Denial:

If the City Council shall determine that the particular Special Land Use(s) requested does not meet the standards of this Ordinance, or otherwise will tend to be injurious to the public health, safety, welfare or orderly development of the City, it shall deny the application by a written endorsement thereon which clearly sets forth the reason for such denial. No application for a Special Land Use permit which has been denied by the City council shall be resubmitted until the expiration of one (1) year from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions sufficient to justify reconsideration by the Planning Commission. Each reapplication will be treated as a new application.

Certification of Plans:

When approval has been granted by the Planning Commission, the Planning Commission Chair shall sign three (3) sets of plans, noting any special conditions or requirements on each set of plans. The City Council shall follow the same procedure upon their review. The final site plan which is signed by both bodies shall be the official City copy and a copy forwarded to the Building Inspector for the issuance of building permits.

Record:

The decision on a Special Land Use shall be incorporated in a statement of conclusions relative to the Special Land Use under consideration. The statement shall specify the basis for the decision and any conditions imposed.

Conditions:

The City Council may impose such conditions or limitations in granting approval as may be permitted by State law and the Zoning Ordinance which it deems necessary to fulfill the spirit and purpose of the Zoning Ordinance.

1. Be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well-being of these who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
2. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
3. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in the Ordinance for the land use or activity under consideration; and be necessary to ensure compliance with those standards.

**NOTICE OF PUBLIC HEARING
SPECIAL LAND USE
CITY OF EASTPOINTE**

Notice is hereby given that there will be a public hearing before the Eastpointe Planning Commission on _____, 20____, at the Eastpointe City Offices, located at 23200 Gratiot Avenue, Eastpointe, Michigan 48021, beginning at 7:00 p.m.

The purpose of the public hearing is to consider comments, verbal or written, concerning an application for Special Land Use Approval, which, if granted, would permit _____

_____ On

the following described property:

Copies of the application and any related documents are available for inspection at the City offices during regular business hours and will be available at the time and place of the aforesaid hearing.

All interested citizens are encouraged to attend and will be given an opportunity to comment on said application for Special Land Use Approval. Written comments may be submitted up to the meeting time and should be addressed to the Planning Commission.

REZONING OF PROPERTY

October 2021

REZONING PROCEDURES FOR PROPERTY

APPLICATION PROCESS FOR REZONING OF PROPERTY

The Applicant obtains the necessary application forms from the City of Eastpointe.

The Applicant returns eight (8) paper copies and one (1) electronic version of the completed application, accompanied by the fees established by the City Council. Eight (8) paper copies and one (1) electronic version of a feasibility sketch plan shall also be submitted along with the application. The sketch plan is provided for the purpose of ascertaining feasibility and developing the site for its intended purpose and to convey to the Planning Commission the intent and purpose of the request. Review of this preliminary plan does not constitute site plan review.

DISTRIBUTION OF THE APPLICATION

Copies of the application, sketch plan and any other supporting material shall be submitted to the Building Department.

The Application will be placed on the next Planning Commission agenda, at which time the Commission will discuss the request and establish a public hearing date. The Commission will hear the Applicant's proposal and review the Rezoning Procedures with the applicant. The Commission may also question the impact of the proposal on adjacent land uses, the neighborhood, and the City Master Plan.

NOTICE REQUIREMENTS

After the Public Hearing is scheduled by the Commission, the City shall prepare a Notice of Hearing to comply with the requirements of the State of Michigan. The publication shall include the legal description of the land proposed for rezoning, the existing and proposed zoning, and graphic illustration of the location of the land. Such Notice shall be published in a newspaper of general circulation a minimum of fifteen (15) days prior to such public hearing.

Copies of the Notice of Public Hearing shall be distributed to the following prior to the hearing:

1. If an individual property or several properties are being considered for rezoning, notice by mail or by personal delivery shall be given to:
 - a. The owner of the property in question, and the petitioner or representative (if not the owner)
 - b. The owners of all parcels disclosed by the current tax roles within three hundred (300) feet of the proposed rezoning; and
 - c. The occupants of all single and two-family dwellings within three hundred (300) feet (The term occupant may be used).
2. All interested City and County offices and agencies (where necessary).
 - a. City Clerk for the City Council
 - b. Planning Commission file
 - c. City Attorney, Planning Consultant and Engineer Consultant

The Notice shall be delivered not less than fifteen (15) days before the hearing. If the notice is delivered by mail, an Affidavit of Mailing shall be filed with the Planning Commission before the hearing.

Consultants and the Building Official shall prepare their written review and submit same to the Planning Commission prior to the public hearing.

PLANNING COMMISSION CONSIDERATION

The Planning Commission shall conduct a Public Hearing on the rezoning request at the date scheduled according to the format prescribed in their Bylaws and Rules of Procedure. The Commission may declare that the Public Hearing may be tabled or continued to a specified date where there are additional public comments or where additional information is needed. The Commission may also close the formal Public Hearing and take action at a future Commission meeting.

The Planning Commission, after review and determination of findings of fact, shall have a roll call vote on their recommendation to the City Council. The Commission shall send a copy of all correspondence, a summary or the minutes of the meeting, the findings of fact, and their recommendation to the City Council.

CITY ATTORNEY

Prior to consideration by the City Council, the rezoning request shall be submitted to the City Attorney for drafting of proposed ordinance and publication format.

CITY COUNCIL ACTION

Recommendations from the Eastpointe Planning Commission will be forwarded to the City Council. The City Council has the sole power to approve or disapprove any amendments to the Zoning Ordinance text or map. All amendments shall be placed in Ordinance format by the City Attorney prior to their enactment.

If the zoning amendment is adopted by the City Council, it shall be published in the newspaper. In the case of an amendment to an existing Zoning ordinance, either the entire text or a summary of the regulatory effect of the amendment shall be published within 10 days of adoption. The publication shall include the effective date of the Ordinance and the place and time where a copy of the Ordinance may be purchased or inspected.

There is a statutory provision for a referendum on the adopted Zoning Ordinance. The first step is to file a Letter of Intent to file a referendum which must be filed within seven (7) days of the publication of adoption. If no Letter of Intent is filed, the Ordinance becomes valid on the 8th day after publication or at such later date as specified by the City Council. If a Letter of Intent is filed, but the petition is never filed with the Clerk or is determined to be invalid, the Ordinance becomes effective the 31st day after publication. If a Letter of intent is filed and the petition is filed and determined to be valid by the Clerk, the City Council then schedules an election to determine the outcome. Petitions filed with the City Clerk must bear the signatures of qualified and registered voters of not less than ten (10) percent of the total vote cast for Governor at the last preceding general election.

After adoption, a copy of the Ordinance shall be posted in the minutes and the City Council Ordinance book.

REZONING FOR TEXT AMENDMENTS

October 2021

CITY OF EASTPOINTE

REZONING PROCEDURES FOR TEXT AMENDMENTS

ISSUE IDENTIFICATION

The subject or section of the zoning ordinance text to be considered for amendment can be identified by the City Council, Planning Commission or the public. The issue or subject should be addressed by the Planning Commission in terms of the goal to be accomplished and alternatives to achieve that goal. The Planning Commission may create a Committee to study such or seek input from any available source (Departments, Engineer, Planner, Attorney, etc). The Commission or Committee may request that the Attorney and/or Planner research and prepare a draft amendment for review.

The Planning Commission may review the proposed amendment at a regular Commission meeting and seek City Council, Attorney, or public input. The draft amendment shall be set for publication and public hearing.

NOTICE REQUIREMENTS

After the public hearing is scheduled by the Commission, the Building Department shall prepare a notice to comply with the requirements of the State of Michigan Zoning Enabling Act. The publication shall include the legal description of the land proposed for rezoning, the existing and proposed zoning, and graphic illustration of the location of the land. Such notice shall be published fifteen (15) days prior to such public hearing in a newspaper of general circulation in the City.

Copies of the notice of public hearing shall be distributed to the following prior to the hearing:

1. All interested City and County offices and agencies (where necessary).
 - a. City Clerk for the City Council
 - b. Planning Commission file
 - c. City Attorney
2. Consultants and department heads shall prepare their written review (if necessary) and submit same to the Planning Commission prior to the public hearing.

PLANNING COMMISSION CONSIDERATION

The Planning Commission shall conduct a public hearing on the proposed text amendment. The Commission may declare that the public hearing may be tabled or continued to a specified date where there are additional public comments or where additional information is needed. The Commission may also close the formal public hearing and take action at a future Commission meeting.

The Planning Commission, after review, shall have a roll call vote on their recommended draft amendment to the City Council. The Commission shall send a copy of all correspondence, a summary or the minutes of the meeting, the findings of fact, and their recommendation to the City Council.

CITY ATTORNEY

Prior to consideration by the City Council, the rezoning request shall be submitted to the City Attorney for drafting of proposed ordinance and publication format.

CITY COUNCIL ACTION

Recommendations from the Eastpointe Planning Commission will be forwarded to the City Council. The City Council has the sole power to approve or disapprove any amendments to the Zoning Ordinance text or map. All amendments shall be placed in ordinance format by the City Attorney prior to their enactment.

If the zoning amendment is adopted by the City Council, it shall be published in the newspaper. In the case of an amendment to an existing Zoning ordinance, either the entire text or a summary of the regulatory effect of the amendment shall be published within 10 days of adoption. The publication shall include the effective date of the ordinance and the place and time where a copy of the Ordinance may be purchased or inspected.

There is a statutory provision for a referendum on the adopted Zoning Ordinance. The first step is to file a letter of intent to file a referendum which must be filed within seven (7) days of the publication of adoption. If no notice of intent is filed, the Ordinance becomes valid on the 8th day after publication or at such later date as specified by the City Council. If a notice of intent is filed, but the petition is never filed with the Clerk or is determined to be invalid, the Ordinance becomes effective the 31st day after publication. If a notice of intent is filed and the petition is filed and determined to be valid by the Clerk, the City Council then schedules an election to determine the outcome. Petitions filed with the City Clerk must bear the signatures of qualified and registered voters of not less than ten (10) percent of the total vote cast for Governor at the last preceding general election.

After adoption, a copy of the Ordinance shall be posted in the minutes and the City Council ordinance book.

NOTICE OF PUBLIC HEARING

CITY OF EASTPOINTE

Notice is hereby given that there will be a public hearing before the Eastpointe Planning Commission on _____, 20____, at the Eastpointe City Hall, located at 23200 Gratiot Avenue, Eastpointe, Michigan 48021, beginning at 7:00 p.m.

The purpose of the public hearing is to consider comments, verbal or written, concerning an application for rezoning from _____ District to _____ District, on the following described property:

Copies of the application and any related documents are available for inspection at the City offices during regular business hours and will be available at the time and place of the aforesaid hearing.

All interested citizens are encouraged to attend and will be given an opportunity to comment on said application for Special Land Use Approval. Written comments may be submitted up to the meeting time and should be addressed to the Planning Commission.

City of Eastpointe
City Clerk

Publish:

ZONING BOARD OF APPEALS

October 2021

CITY OF EASTPOINTE
ZONING BOARD OF APPEALS
RULES OF PROCEDURE

1. An application to the Zoning Board of Appeals for a variance or an appeal of an administrative decision shall be made by an owner of an interest in property to the Building Official, accompanied by the necessary fees and documents as provided in Sec. 50-71 of the Eastpointe City Code. An appeal may be taken to the Zoning Board of Appeals by a person aggrieved or by an officer, department, board or bureau of the state or of the City.
2. The following items may be considered by the Board of Appeals:
 - a. Appeals of decisions made by an administrative official charged with the enforcement of the Zoning Ordinance.
 - b. Variances from specific Zoning Ordinance requirements.
3. For building permit related variance requests the applicant is required to have a letter of permit denial from the Building Inspector. This letter will set forth the zoning compliance issues and be the basis for the variance request.
4. All requests for consideration by the Zoning Board of Appeals shall require the notification of the owners of all property located within three hundred (300) feet of the property in question. Such notice shall be served by regular mail at least seven (7) days before such meeting.
5. The application for a variance fee must be paid; the application must be completely filled-out and accompanied eight (8) paper copies and one (1) electronic version of site plans and/or any other documents considered to be evidence in the case before the case is put on the agenda.
6. Site plan requirements for all dimensional variance requests must include the following:
 - a. Minimum site plan submittal shall be based on a land survey, mortgage survey or scaled drawing.
 - b. The site plan must be drawn to scale.
 - c. The plan must include property lines and dimensions, all structures and buildings (existing and proposed), all setback dimensions, driveways, and all adjacent uses and structures within 50 feet of all property line(s).
7. If a case is tabled at the request of the applicant or the applicant's representative, the applicant or the applicant's representative shall notify the Building Official two (2) weeks prior to the meeting in which they would like to be heard. Furthermore, any new information shall be submitted two (2) weeks prior to the subject meeting.
8. Once a building permit related variance has been granted and a building permit applied for within a one (1) year time frame, the conditions of such variance shall run with the land in perpetuity. A building permit shall be applied for within one (1) year of the decision of the Zoning Board of Appeals. If a building permit is not applied for, the decision of the Board of Appeals shall be nullified.
9. The applicant authorizes the members of the Zoning Board of Appeals and any employees of the Eastpointe Building Department to schedule a date and time to enter upon the described premises to visually inspect the proposed site before and after any hearings scheduled for this application.
10. The applicant or representative shall be present at the meeting.
11. The decision of the Zoning Board of Appeals is final. A party aggrieved by a decision of the Zoning Board of Appeals may appeal the decision to the Macomb County Circuit Court. Contact an attorney for further information.

FORMAL STATEMENT

The Zoning Board of Appeals (ZBA) is an administrative body established by the Michigan Zoning Enabling Act and the Codified Ordinances of the City of Eastpointe.

The function of the ZBA is to act as an appeals board for questions arising under the City's Zoning Ordinance.

The Board may not alter or change any zoning district classification of any property nor make any change in the terms of the Zoning code. Those functions are for the City Council. The ZBA is not a legislative body.

The ZBA acts on those matters where the Zoning Code provides for an administrative review, interpretation, exception or special approval permit and may authorize a variance.

Most ZBA matters concern requests for variances. The ZBA considers only non-use variances. A non-use variance is often called a dimensional variance and usually deals with setback, height or land area requirements. Where there are practical difficulties preventing a property owner from conforming to the strict letter of the ordinance, the ZBA has the power to grant non-use or dimensional variances.

To obtain a non-use or dimensional variance, the applicant must demonstrate a practical difficulty and show by competent, material and substantial evidence that:

- A. Strict compliance with area setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity unnecessarily burdensome;
- B. A variance would do substantial justice to the applicant, as well as to other property owners in the district and that a lesser relaxation would not give substantial relief and be more consistent with justice to others;
- C. The plight of the owner is due to the unique circumstances of the property; and
- D. The problem is not self-created.

To grant a non-use or dimensional variance will require a concurring vote in the affirmative of a majority of the members of the Board. That means 4 affirmative votes.

The decisions of the ZBA are final. Any petitioner aggrieved by a decision of the Board must appeal to the Macomb County Circuit Court. The City Council has no authority to hear appeals from the ZBA.

APPLICATION FOR ZONING BOARD OF APPEALS APPROVAL
CITY OF EASTPOINTE
23200 GRATIOT AVENUE
EASTPOINTE, MICHIGAN 48021
586-445-5010, option 2

Meeting Date: _____ Date application received: _____ Fee: \$ _____

I hereby make application to the Eastpointe Zoning Board of Appeals for a variance of the City Ordinance on the following described property:

NAME & ADDRESS OF APPLICANT

NAME & ADDRESS OF PROPERTY OWNER

Phone #: _____

Phone #: _____

Parcel ID#: _____

Legal Description of property:

Section of the ordinance being appealed: _____

Existing Zoning District _____ Conforming _____ Non-conforming _____

Request: Administrative Appeal _____ Variance _____ Temporary Use _____

Variances: Where, owing to special conditions, a literal enforcement of the City of Eastpointe Zoning Code would involve practical difficulties or cause unnecessary hardships within the meaning of the Code, the Zoning Board of Appeals may, upon appeal in specific cases, authorize such variance or modifications of the Code with such conditions and safeguards as it may determine, as may be in harmony with the spirit of the Code and so that public safety and welfare may be secured and substantial justice done. No such variance or modification of the

Code shall be granted unless it appears by competent, material and substantial evidence that all of the following facts and conditions exist:

There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties or class of uses in the same district or zone.

Such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity.

The granting of such variance or modification will not be materially detrimental to public welfare or be materially injurious to the property or improvements in such zone or district in which the property is located.

The granting of such a variance will not adversely affect the purposes or objectives of the Master Plan.

The applicant may attach additional information as is deemed helpful to the Board in making a determination regarding this appeal.

I hereby request a hearing on the above mentioned matter before the City of Eastpointe Zoning Board of Appeals.

The undersigned certifies that the information provided on this application is true and accurate to the best of their knowledge.

Signature of applicant: _____ Date: _____

Printed Name: _____

Signature of property owner: _____ Date: _____

(If not applicant) Name: _____

SIGN REVIEW AND PERMIT

October 2021

CITY OF EASTPOINTE
BUILDING DEPARTMENT
APPLICATION FOR SIGN PERMIT

23200 Gratiot, Eastpointe, MI 48021 - Building Department -- 586-445-3661, option 2

A SIGN PERMIT WILL NOT BE ISSUED UNLESS IT MEETS THE CURRENT ORDINANCE
Do not proceed with the fabrication of your sign until you receive the permit.

Location Address: _____ Date: _____

Name of Business: _____ Current Business License: _____
(Verify with City Clerk's Office)

Contractors Name: _____ Phone: _____

Contractor's Address: _____ Zoning: _____

State License #: _____ Expiration Date: _____ License Held: _____

Property Owner's Name: _____

Property Owner's Address: _____

NEW SIGN: _____ SIGN FACE REPLACEMENT/SIGN REPAIR: _____ COST: _____

Type of Sign

Size and Specifications must be submitted on a separate attachment.

Ground/Monument Sign: _____ Wall Sign: _____ Sidewalk Board Sign: _____ Temporary Sign: _____

Awning/Canopy: (see section 1464.23 and .24) Aluminum: _____ Steel: _____ Canvas: _____ Wood: _____

Electric: Is sign illuminated? _____ Electric permit required if sign is illuminated. U.L. Label information required on electric permit for sign connection.

Building Department reserves the right to require signed and sealed drawings

City of Eastpointe

Sign Approval Procedures

All applications for sign review shall be accompanied by a sign drawing and site plan illustrating the location of the sign on the site. The following information shall be provided:

- A scaled plan showing the location of the sign on all structures on the site.
- The location of the sign in relation to all existing and proposed streets, parking areas and site entrances.
- A scaled drawing of the proposed sign, specifying the height of the sign above the ground, the surface area and material of the sign, the lettering as it will appear on the sign, method of illumination, and any other information as the Building Inspector deems necessary to the understanding of the application.

SCREEN AND MASONRY WALL

October 2021

CITY OF EASTPOINTE

SCREEN WALL (MASONRY WALL) PROCEDURE

1. Apply to Planning Commission for review of location of screen wall:
 - a. Submit application w/ site plan and wall detail and \$100 application fee.
 - b. The applicant must attend the Planning Commission meeting. A review of the site plan will be done at a public meeting of the Planning Commission. The applicant will appear and answer any questions regarding the placement of the wall. The Board does not have the ability to waive the wall requirements. They may make minor amendments. The owners of the residential property adjacent to the new wall will be notified of the meeting and have the opportunity to ask questions at the meeting.
2. Apply for Building permit: Once the Planning Commission has approved the screen wall, the applicant (or the contractor) must submit an application for a building permit. Upon completion of the work, call for a final inspection.

The following documents are attached for your review and assistance:

1. Application to submit for Planning Commission review.
2. Copy of the ordinance regarding screening and landscaping (Article XX).

Please direct any questions you have to:

Erin Hardcastle
City of Eastpointe
Director, Building Department
586-445-3661, option 2

October 2021

City of Eastpointe

Planning Commission Application & Fees

The fee to be charged to the applicant is:

Planning Commission:

- Review of Masonry wall: \$100.00

In accordance with the terms of the zoning ordinance, masonry walls are to be reviewed by the Planning Commission. The adjacent property owner will be notified 15 days in advance that this matter is before the Planning Commission.

The applicant must submit a copy of the site plan with the details regarding the proposed masonry wall. The site plan should show compliance with the ordinance, as well as specific details regarding the proposed location and distance to site features.

Date: _____

Application No.: _____

Review Fee \$: _____

PLANNING COMMISSION

Site Plan Review for Masonry Wall

The undersigned hereby makes application to the Eastpointe Planning Commission for the construction of a masonry wall, required under the zoning ordinance.

Meetings of the Planning Commission are normally scheduled for the first Thursday of each month at 7:00 p.m. at the City Hall. The application and all necessary information must be submitted to the Building Department at least thirty days prior to the meeting. The applicant or his representative must be present when action is taken.

Re-submittals of drawings or information is required 15 days in advance of the meeting.

Applicant's Name: _____ Address: _____

City: _____ State: _____ ZIP: _____ Phone #: _____

Name of Proposed Development: _____

Proposed Use: _____

Parcel Identification Number: _____ Existing Zoning Classification: _____

Complete Legal Description (use opposite side, or attach separately)

Legal Owner: _____

Name	Address	Phone #
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Signature of Applicant

Signature of Legal Owner (if not Applicant)

(print name below signature)

(print name below signature)