



## REZONING APPLICATION PLANNING COMMISSION

### APPLICATION FORM

Please review the [Texas Township ClearZoning Ordinances](#) that pertain to your project prior to submission of your application.

#### PROPERTY INFORMATION

Subject Parcel Street Address: \_\_\_\_\_

Subject Parcel Number: 3909- \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Area of Subject Property: Acres: \_\_\_\_\_ - OR - Square Feet: \_\_\_\_\_

Current Zoning District: \_\_\_\_\_

Future Land Use Designation: \_\_\_\_\_

Current Use of Property: \_\_\_\_\_

Legal Description (per deed of record Kal. Co. Register of Deeds): **Please attach.**

#### ZONE CHANGE INFORMATION

Requested Zoning District: \_\_\_\_\_

Describe how the zoning change is consistent with the Future Land Use Plan for the Township:

Describe why the present zoning district is no longer appropriate, and the proposed district is more compatible with surrounding uses and zoning:



# ZONING CHANGE APPLICATION

7110 West Q Ave  
Kalamazoo, MI 49009  
P: 269.375.1591  
F: 269.375.0791  
[www.texastownship.org](http://www.texastownship.org)

## APPLICANT INFORMATION (Identify the person or organization requesting the special exception use.)

**Applicant Name:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Applicant Interest:**     Property Owner     Purchaser by Option of Purchase Agreement  
                                   Lessee/Tenant         Purchaser by Land Contract

## LEGAL OWNER INFORMATION    Check here if the applicant is also the property owner.

**Legal Owner of Parcel:** \_\_\_\_\_

**Legal Owner's Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

## REPRESENTATIVE INFORMATION

**Representative Name:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

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[www.texas-township.org](http://www.texas-township.org)

I (we), the undersigned do hereby submit one packet that includes: completed and signed application, any supporting documentation, review fee, and escrow for the purpose of obtaining a rezoning review from the Planning Commission. In making this application,

In making this application, I (we) acknowledge that the Planning Commission will review this rezoning application at a public meeting, that I (we) or a representative on my (our) behalf will be expected to attend the public meeting to provide information and answer questions, and that the meeting will be open to all interested persons who desire to attend. I (we) also grant permission to any Texas Township official or representative to enter and inspect the subject property for purposes related to this application.

**Signature of Legal Property Owner:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Office Use Only:**

**Date Received:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **Received By:** \_\_\_\_\_

**App Fee Paid:** \$ \_\_\_\_\_ **Check #:** \_\_\_\_\_ **Escrow Fee Paid:** \$ \_\_\_\_\_ **Check #:** \_\_\_\_\_

\*\*\*Please review the [Texas Township ClearZoning Ordinances](#) prior to submission of your application.\*\*\*



## REZONING APPLICATION PLANNING COMMISSION

### APPLICATION REVIEW PROCEDURES

The intent of this process is to provide for consultation and cooperation between the property owner or developer and the Texas Township Planning Commission to support the Township Master Plan and comply with the Township Zoning Ordinance.

#### 1. Napkin Meeting

Prior to starting the application process, the applicant is ***strongly encouraged*** to meet with Township staff to review the application filing procedures and consult on the requested zoning change. The Planner/Zoning Administrator will coordinate with other Township staff that warrant involvement.

#### 2. Application Requirements

For the initial review, applicant shall file the below items no less than five weeks prior to a scheduled Planning Commission Regular meeting:

- One (1) original signed application form
- An electronic PDF version of the signed application form
- The required application fee
- The escrow fee & signed escrow affidavit
- Any documents that support the requested zoning change

#### 3. Staff Review Process

One week prior to the Planning Commission meeting, a staff report will be completed and provided to the Planning Commission and applicant.

#### 4. Incomplete Applications

If a complete application is not submitted by the required deadline, the application may be moved to next review cycle and Planning Commission agenda.

#### 5. Special Meetings

Applicants may request a special meeting with the Planning Commission no less than five weeks in advance of the proposed special meeting date, provided that the above procedures are met, a special meeting fee has been paid, and a quorum of the Planning Commission can be assembled.

#### 6. Preparing Meeting Packets

The office shall prepare packets for all Planning Commission members, which shall include all project documentation and staff report. Packets and agendas will generally be prepared and posted the Tuesday prior to the meeting date.



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### 7. Public Notice Requirements

A rezoning application requires a public hearing, and as such, a public notice will be published within the Kalamazoo Gazette and mailed to properties within 300 feet of the subject site no later than 15 days prior to the meeting.

### 8. Planning Commission Meeting

The Planning Commission will conduct a review of the zoning change and will either recommend approval or denial of the request to the Township Board, stating their reasons for denial. The Planning Commission may also table the application if additional information is needed. After the Planning Commission public hearing, the zoning change application will be forwarded to the Township Board as required by Michigan Zoning Enabling Act. If the Planning Commission recommended denial, the applicant may withdraw their request.

### 9. Township Board Meeting

The Township Board will hold two meetings for the requested zoning change per the requirements of the Michigan Zoning Enabling Act. The first meeting will introduce the zoning change and the second meeting will be to adopt the zoning change. After the notice of adoption is published, the zoning change will be effective.

\*\*\*Please review the [Texas Township ClearZoning Ordinances](#) prior to submission of your application. \*\*\*



## PLANNING / ZONING FEES AND ESCROW AFFIDAVIT

The Charter Township of Texas Board of Trustees is authorized by state statute and the Texas Township Zoning Ordinance to establish fees for the processing of planning, zoning, and development reviews. The Board believes it is reasonable and appropriate to place the cost of processing these applications (or applications involving unusual costs to the Township) onto the applicants involved rather than on the taxpayers of the Township, and as such, has by resolution adopted the following application and escrow fee schedule. The Board intends that planning, zoning, and development review fees and escrow amounts be reasonably proportionate to the costs incurred by the Township for the particular action requested, and that such fees and escrow amounts be used to defray the costs of administering the Charter Township of Texas Code of Ordinances under Michigan law.

Planning Commission Fee Schedule		
Application Type	Application Fee	Escrow Fee
Site Plan Review:		
Nonresidential	\$600 for one structure plus \$50 for each additional structure	\$1,500
Multifamily Residential	\$600 plus \$25 for each residential structure	\$1,500
Site Plan Review Amendment (Planning Commission review)	\$350	\$500
Special Exception Use	\$400	\$500
Planned Unit Development Concept Plan	\$400 (\$800 if concurrent with Step 1 application)	\$500
Plats/Site Condominiums/ Condominium Development/Mixed Use Site Condominium	<ul style="list-style-type: none"> <li>▪ Step 1: \$600</li> <li>▪ Step 2: \$600</li> <li>▪ Step 1 &amp; 2 Concurrent: \$1,000</li> <li>▪ Step 3: \$600</li> </ul>	<ul style="list-style-type: none"> <li>▪ Step 1: \$1,500</li> <li>▪ Step 2: TBD*</li> <li>▪ Step 1 &amp; 2: \$1,500+TBD*</li> <li>▪ Step 3: \$500</li> </ul>
Accessory Dwelling Unit Sketch Plan	\$350	\$500
Zoning Ordinance Text Amendment	\$600	\$1,500
Master Plan Amendment	\$600	\$1,500
Rezoning/Zoning Map Amendment	\$600 (\$900 if concurrent with a Master Plan Amendment application)	\$1,500
Request for Special Meeting	\$900	N/A
<i>*Escrow for Plats/Site Condominiums Step 2: The Township Engineer will provide an estimate of construction inspection expenses with their Step 1 project review. The Zoning Administrator will review the estimate and the Planning Commission will condition Step 2 approval on providing the escrow deposit.</i>		

**Zoning Board of Appeals Fee Schedule (Only Application Types Requiring Escrow Fee)**

Application Type	Application Fee	Escrow Fee
Zoning Ordinance Interpretation Appeal	\$600	\$500

**Zoning Administrative Review Fee Schedule (Only Application Types Requiring Escrow Fee)**

Application Type	Application Fee	Escrow Fee
Site Plan/Sketch Plan Amendment	\$200	\$500

The Application Fees noted above shall be designated to cover the following costs associated with review of an application:

- Applicant’s appearance at regular Planning Commission, Zoning Board of Appeals, and/or Township Board meetings
- First-class mailing of 300’ public notices as necessitated by the application
- Involvement by Township officers and employees (excluding outside contractors or professionals such as engineers, planners, architects, landscape architects, arborists, legal counsel, etc.)
- **Please note that no part of the Application Fee shall be refundable.**

In addition to the Application Fee set forth above, all other costs incurred by the Township that are directly associated with reviewing and processing an application for certain uses shall be paid (or reimbursed to the Township) from the funds in an Escrow Account established by the applicant as provided herein.

The Escrow Account for uses specified herein are to be established per the fee schedule above, commencing with an initial deposit to the Township Planner at the time of application. No application shall be processed prior to the Application Fee and the initial deposit for the Escrow Account, as set forth above, being deposited with the Township Planner.

At no time prior to the Township’s completion of review and processing of the application shall the Escrow Account balance be allowed to drop below \$250.00. If the Escrow Account balance does drop below \$250.00, the Township Planner or their designee will so notify the applicant. The applicant must then deposit an additional amount of at least \$1000.00 or such amount as determined by the Planner or his or her designee to be reasonably necessary to cover anticipated remaining or future expenses, or both.

No further review and processing of the application shall occur until the Escrow Account has been re-established to the appropriate level as determined by the Planner or his or her designee. The Township Planning Commission may stop processing the application if the applicant is more than thirty (30) days in arrears.

The Township may draw funds from the applicant’s Escrow Account to reimburse the Township for out-of-pocket expenses directly related to review and processing of the application. Expenses eligible for payment via the applicant’s Escrow Account include, but are not limited to, the following:

- *Services of the Township Attorney directly related to the application (including the preparation of development agreements, or review of Master Deeds, if applicable)*
- *Services of consulting civil engineers directly related to the application*
- *Services of consulting traffic engineers and planners directly related to the application*

- *Services of consulting land use planners directly related to the application*
- *Services of other consulting professionals upon request of the Township directly related to the application*
- *Publication of public notices in the Kalamazoo Gazette as necessitated by the application*

The Township Clerk shall maintain records regarding Escrow Accounts and the Township Planner shall authorize the disbursement of Escrow Account funds in writing. Such Escrow Account funds shall be accounted for separately and maintained in a separate bank account or bank account category.

If an applicant objects to the reasonableness or amount of the Escrow Amount funds it must deposit with the Township or how the funds have been applied, the applicant can appeal to the Texas Township Board. All such appeals shall be in writing and shall be made not later than thirty (30) days after receipt of the disputed Escrow Account billing or the decision of the Planner or his or her designee.

Within ninety (90) days after final Township action on the application or withdrawal of the application by the applicant, the Township shall refund to the applicant any excess escrow funds. No interest shall be paid on refunded Escrow Account money.

No final approval, building permit, certificate of use/occupancy permit, or other similar approvals shall be issued, or final Township zoning approval be deemed granted until the escrow funds are paid in full.

Should the applicant withdraw its application or otherwise fail to complete all actions necessary for the Township to issue a final building permit or final zoning approval, the Township may seek reimbursement for its costs incurred in responding to the application. The Township shall be permitted to take any legal action to collect such costs and shall be permitted to assess all costs and legal fees incurred in the collection process.

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*(Authorization on Next Page)*



*I have read the Texas Township Planning & Zoning Application and Fees Policy and agree to abide by the same. I understand that the payment of the prescribed application and escrow fees is intended to cover the Township's cost associated with the processing and/or review of my planning or zoning application and should not in any manner be construed as suggesting any particular outcome for the application. I agree that I shall be obligated to pay the fees prescribed under the policy regardless of whether my application is approved, denied, modified, or withdrawn.*

Name: \_\_\_\_\_  
Please Print

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Entity Responsible for Account (Billing Purposes)**

Name: \_\_\_\_\_  
Please Print

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

## Planning Commission 2023 Meeting Dates

Workshop Meeting: 2<sup>nd</sup> Tuesday | 5:00 p.m.

Regular Meeting: 4<sup>th</sup> Tuesday | 6:00 p.m.

Development applications are reviewed at the regular Planning Commission meeting.

Meeting Type	Meeting Date	Application Deadline
PC Workshop	January 10	
PC Meeting	January 24	December 27, 2022
PC Workshop	February 14	
PC Meeting	February 28	January 31
PC Workshop	March 14	
PC Meeting	March 28	February 28
PC Workshop	April 11	
PC Meeting	April 25	March 28
PC Workshop	May 9	
PC Meeting	May 23	April 25
PC Workshop	June 13	
PC Meeting	June 27	May 30
PC Workshop	July 11	
PC Meeting	July 25	June 27
PC Workshop	August 08	
PC Meeting	August 22	July 25
PC Workshop	September 12	
PC Meeting	September 26	August 29
PC Workshop	October 10	
PC Meeting	October 24	September 26
PC Meeting*	November 14	October 17
PC Meeting*	December 12	November 14
PC Workshop	January 9, 2024	
PC Meeting	January 23, 2024	December 26

**Application Deadline:** four weeks prior to meeting date.

**\*Only one meeting planned in Nov. and Dec. Both meetings will begin at 6:00 p.m.**