

ARTICLE XXII. AMENDMENTS AND DISTRICT CHANGES

Section 2201. INTENT

Amendments or supplements to this Ordinance may be made from time to time in the same manner as provided under State Statute for enactment of the original ordinance.

Section 2202. INITIATING AMENDMENTS AND FEES

The Township Board may from time to time, on recommendation from the Planning Commission, amend, modify, supplement or revise the district boundaries or the provisions and regulations herein established whenever the public necessity and convenience and the general welfare require such amendment. Said amendment may be initiated by resolution of the Township Board, the Planning Commission, or by petition of one or more owners of property to be affected by the proposed amendment. Except for the Township Board, or the Planning Commission, the petitioner or petitioners requesting an amendment shall at the time of application pay a fee prescribed by the Township Board, no part of which shall be returnable to the petitioner.

Section 2203. AMENDMENT PROCEDURE

The Township Zoning Ordinance may be amended upon request from a Township property owner or upon initiation by the Township Board of Trustees or the Township Planning Commission. The following procedures will be followed in receiving, reviewing and approving amendments for changing the Zoning Ordinance.

- A. The applicant should submit to the Zoning Administrator an application for zoning amendment together with the required application fee and the following documentation.
 1. Evidence that the applicant has interest in the property proposed to be rezoned.
 2. Legal description of the property proposed to be rezoned.
 3. Description of proposed use or uses, including Site Plan, access roadways and proposed off-street parking.
 4. Description of sewage disposal and water supply facilities and proposed surface drainage.
- B. The Zoning Administrator will review the rezoning application to insure that the application is in order and all required documentation is included.
- C. The Zoning Administrator will transmit the application for rezoning to the Township Planning Commission.

- D. The Township Planning Commission will receive the rezoning application and conduct a background study to determine:
1. If the proposed rezoning is compatible with the goals and objectives of the Township Land Use Plan.
 2. The Impact of the proposed use on surrounding properties and development.
 3. The effect on public facilities and services.
 4. The relationship of the proposed project to the intent of Township Zoning Ordinance.
- E. The Township Planning Commission will establish a date for a public hearing on the proposed zoning amendment at its next regular meeting allowing for the requirements for notification. The Planning Commission Secretary will provide to the Township Clerk all required material for publication and notification.
- F. The Township Clerk will publish one notice of the public hearing in a newspaper of general circulation within the Township not less than 15 days prior to the date of the public hearing as required by the Zoning Enabling Act.
- G. The Township Clerk shall notify by mail not less than twenty (20) days prior to the public hearing each electric, gas pipeline, telephone utility and railroad company operating within the district or zone affected, that registers its name and mailing address with the Township Planning Commission for the purpose of receiving the notice. An affidavit of mailing shall be maintained. The notices shall include the places and times at which the tentative text and any maps of the zoning ordinance may be examined.
- H. If 11 or fewer parcels surround the property to be rezoned, the Township Clerk shall notify by mail all persons who own real property within 300 feet of the property to be rezoned and the occupants or all single and two-family dwellings within 300 feet of the property to be rezoned. The notice shall be made not less than fifteen (15) days before the hearing stating the time and the place, date and purpose of the hearing. An affidavit of mailing shall be filed with the Township Planning Commission before the hearing. The notice shall be delivered to the respective owners and tenants at the address given in the last assessment role. If the tenant's name is not known the term "occupant" may be used,
- I. The Township Planning Commission will hold a public hearing on the requested rezoning. The hearing should represent an opportunity for all involved to present and rebut information concerning a rezoning request.

- J. The Township Planning Commission will complete its background study on the rezoning request and address the concerns raised at the public hearing.
- K. The Township Planning Commission will submit the rezoning request to the County Planning Commission for review and recommendation.
- L. The Township Planning Commission will transmit the rezoning request together with its recommendation and the comments of the County Planning Commission to the Township Board for final action. The transmittal to the Township Board will include a record of the comments received at the public hearing, background material developed by the Township Planning Commission on the rezoning request and the findings which support the Planning Commission's recommendations.
- M. The Township Board of Trustees may adopt or reject the proposed amendment to the Zoning Ordinance; provided that:
 - 1. If the Board desires to make a change in the proposed amendment it must refer the amendment back to the Township Planning Commission for recommendation, and
 - 2. If a land owner requests a hearing on the proposed amendment the Board must hold the requested hearing before action is taken.
- N. If the Township board of Trustees holds additional public hearings, notice shall be published in a newspaper having general circulation within the Township not more than 15 days nor less than 5 days before the hearing.
- O. After receiving the Township Planning Commission's report and recommendation on a proposed rezoning amendment, the Township Board of Trustees shall grant a public hearing to a property owner who, by certified mail addressed to the clerk of the Township Board, requests a hearing. The Township Board shall request the Township Planning Commission to attend the hearing.
- P. After completing its study and review the Township Board of Trustees may approve, reject or approve with changes the proposed rezoning amendment. If the Township Board approves the rezoning amendment with changes, the proposed amendment with changes will be referred back to the Township Planning Commission for further study and recommendations.