

STATE OF MICHIGAN
COUNTY OF OAKLAND
VILLAGE OF LAKE ORION

ORDINANCE NO. 26.95

An Ordinance to amend the Zoning Ordinance, Article 19 Administrative Procedures and Standards, Section 19.05 – AMENDMENTS

THE VILLAGE OF LAKE ORION ORDAINS:

Article 19 – Administrative Procedures and Standards
Section 19.05 – AMENDMENTS

Section 19.05 of the Village Zoning Ordinance is amended, and recommended by the Planning Commission, after public hearing was held on September 4, 2018:

Section 19.05 – AMENDMENTS

A. Initiation of Amendment

The Village Council of the Village of Lake Orion may amend, supplement or change any of the provisions of this Ordinance, pursuant to the authority and procedures set forth in Public Act 110 of 2006, as amended. A petition for amendment of the Zoning Ordinance may be initiated by the Village Council, the Planning Commission, or one or more persons of the general public.

B. Application for Amendment

A petition for amendment of the Zoning Ordinance shall be submitted to the Village Clerk on a form supplied by the Village and accompanied by the necessary processing fees as may be established from time to time by the Village Council. The required number of copies required of the application and all materials to be submitted shall be as determined from time to time by the Village. No application will be processed until the required fees have been received by the Village.

1. Text Amendment.

A text amendment is a change to the wording of a provision of the Zoning Ordinance.

A petition for a text amendment shall contain, at a minimum, the following information:

- a. The name, address, and telephone number of the petitioner.
- b. The full text of the current article, section, and/or paragraph of the Zoning Ordinance that is proposed to be amended. If the proposed amendment is for a provision that is not currently in the Zoning Ordinance, then that fact shall be noted on the application.

3. The Village Clerk shall cause notice of the public hearing to be published and given according to the procedures of Public Act 110 of 2006, as amended, which shall be by publication in a newspaper of general circulation in the Village and mailing to the companies identified in subsection (a)(iv) below at least 15 days before the hearing for all text and map amendments, and for proposed map amendments for any group of less than 11 adjacent parcels, shall also include mailing of notices within that time to the persons described in subsection (a) below.
 - a. When required, mailed notices shall be given not less than 15 days before the date of the hearing on a proposed zoning amendment to:
 - i. The applicant.
 - ii. The owner (or other owners) of the property, if different.
 - iii. All persons to whom real property is assessed with 300 feet of the property and to the occupants of all structures, regardless of whether the owner and property is located in the Village.
 - iv. Public utilities, telecommunication service providers and airport managers that have registered their names and addresses with the Village Clerk for the purpose of receiving notices of public hearings.
 - b. The notice shall include:
 - i. The nature of the zoning amendment being requested.
 - ii. The property for which the zoning amendment has been made.
 - iii. If the zoning amendment is for 10 or fewer adjacent properties, a listing of all existing street addresses or other means of identifying the properties that are the subject of the zoning amendment.
 - iv. If the proposed map amendment is for 11 or more adjacent properties, the notice need not list street addresses of properties that are included in the map amendment.
 - v. The location where the application documents can be viewed prior to the date the zoning amendment hearing
 - vi. The address of which written comments should be directed and the deadline prior to the hearing on the zoning amendment for submission of those comments.
4. The order of business for the public hearing shall be:
 - a. A statement by the Chair of the Planning Commission that the purpose of the public hearing is to gather information only and that the merits of the proposed amendment will not be discussed by the Planning Commission members at this hearing.
 - b. Presentation by the Planning consultant of information regarding the location of the property proposed for re-zoning, the current zoning designation, what structures, if any, currently exist on the property in question and the

9. No application for a map amendment which has been denied by the Village Council shall be reheard within three (3) years from the date of the denial unless there have been changes in the facts, evidence, and/or conditions in the case. A determination and recommendation to the Village Council on whether there have been such changes shall first be made by the Planning Commission at the time the application is submitted for the setting of a public hearing. A denial by the Planning Commission of a rehearing may be appealed by the applicant to the Village Council. D. Notice of Record of Amendment Adoption Following adoption of a text or map amendment by the Village Council, notice of such adoption shall be published following the procedures listed in Public Act 110 of 2006, as amended. The filing and publication requirements in this Section relating to the Village of Lake Orion Zoning Ordinance being based on the provisions of Public Act 110 of 2006, as amended, supersede charter provisions relating to the filing and publication of Village ordinances.

Article 19 –Administrative Procedures and Standards.


Section 19.05 - AMENDMENTS

Amended only as specified above and in this Section, the Code of Lake Orion shall remain in full force and effect.

A synopsis of this Ordinance shall be published in accordance with the Charter of the Village of Lake Orion and this Ordinance shall become effective immediately upon the publication of the summary. If any provision of this Ordinance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision.

VILLAGE OF LAKE ORION

By: 
Kenneth Van Portfliet, PRESIDENT

By: 
Susan C. Galeczka, CMC CMMC
VILLAGE CLERK