

**Return by Mail or Email:**

City of Rogers City  
City Planner  
193 E Michigan Ave.  
Rogers City, MI 49779

tkuznicki@rogerscity.com

**CITY OF ROGERS CITY  
AMENDMENT APPLICATION**



**If you have any questions, please contact Toby Kuznicki at 989-734-2191 ext. 205 or email tkuznicki@rogerscity.com.**

**Please refer to the City of Rogers City’s website at www.rogerscity.com to view the Zoning Ordinance.**

**THE REQUEST WILL NOT BE PROCESSED UNTIL IT HAS BEEN VERIFIED THAT ALL OF THE REQUIRED INFORMATION IS INCLUDED IN THE APPLICATION AND AN APPLICATION FEE HAS BEEN PAID – NO EXCEPTIONS!**

<b>For Office Use Only:</b>	
Fees: _____	<i>Application Received Stamp</i>
<input type="checkbox"/> Application Complete: Receival Date: _____	
<input type="checkbox"/> Application Incomplete: _____	<i>Payment Received Stamp</i>

**Pre-Application Conference**

It is strongly recommended all applicants and their representatives meet with Rogers City Staff prior to submitting an application for an amendment. A pre-application meeting allows for a preliminary review of the application procedures, project timelines, compliance with the City Master Plan, and other project criteria, and prevents most situations that result in a project being postponed.

**PLEASE FILL IN INFORMATION BELOW THIS LINE ONLY**

**Section 1: Type of Amendment**

- Text Amendment
- Map Amendment
- Conditional Rezoning

**Section 2: Contact Information**

**For Text Amendment**

Applicant Name(s): \_\_\_\_\_

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

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

**For Map Amendment & Conditional Rezoning**

Applicant Name(s): \_\_\_\_\_

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

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



CITY OF ROGERS CITY  
AMENDMENT APPLICATION

Interest in the property if not the property owner (Attach proof of interest in the property):

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Property Owner(s), **if different than applicant**:

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

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

**Section 3: Amendment & Conditional Rezoning Information**

**Text Amendment Only:**

This request is to change the text of section (§): \_\_\_\_\_

The change is shown below, using underlining or bold face, like this, to show new text, and strike out, ~~like this~~, to show words to be deleted:



## CITY OF ROGERS CITY AMENDMENT APPLICATION

*Attach additional sheets, if necessary.*

What are the reasons for the proposed text change?

### **Zoning Map Amendment Only:**

An additional sheet may be attached to include addresses and parcel id numbers for other properties. The applicant shall submit the following items:

- A legal description of the property
- A scaled map of the property, correlated with the legal description, and clearly showing the property's location

Property Address: \_\_\_\_\_

Parcel ID Number: \_\_\_\_\_

This request is to change the zoning from \_\_\_\_\_ to \_\_\_\_\_

What are the reasons for the proposed map change?



# CITY OF ROGERS CITY AMENDMENT APPLICATION

## Conditional Rezoning Only:

I certify I am **voluntarily offering** in writing certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map per the *Michigan Zoning Enabling Act*.

\_\_\_\_\_  
Initial

Please list the offered conditions:

## Section 4: Acknowledgements

I understand the payment of the application fee is non-refundable and is to cover the costs associated with processing this application, and that **it does not assure approval of the request**.

\_\_\_\_\_  
Initial

I acknowledge this application is not considered filed and complete until all the required information has been submitted and all required fees have been paid in full. Once an application is deemed complete, a date and time for a public hearing before the Planning Commission will be scheduled, which may not necessarily be the next scheduled meeting.

\_\_\_\_\_  
Initial

I acknowledge this form is not in itself an amendment, but only an application for a text or map amendment and is valid only with procurement of applicable approvals.

\_\_\_\_\_  
Initial

I understand either myself or my representative are strongly encouraged to be present at the Planning Commission meeting.

\_\_\_\_\_  
Initial

## Section 5: Signature

I certify the above information is accurate to my fullest knowledge:

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner  
**(Required for Map Amendment & Conditional Rezoning)**

\_\_\_\_\_  
Printed Name of Property Owner

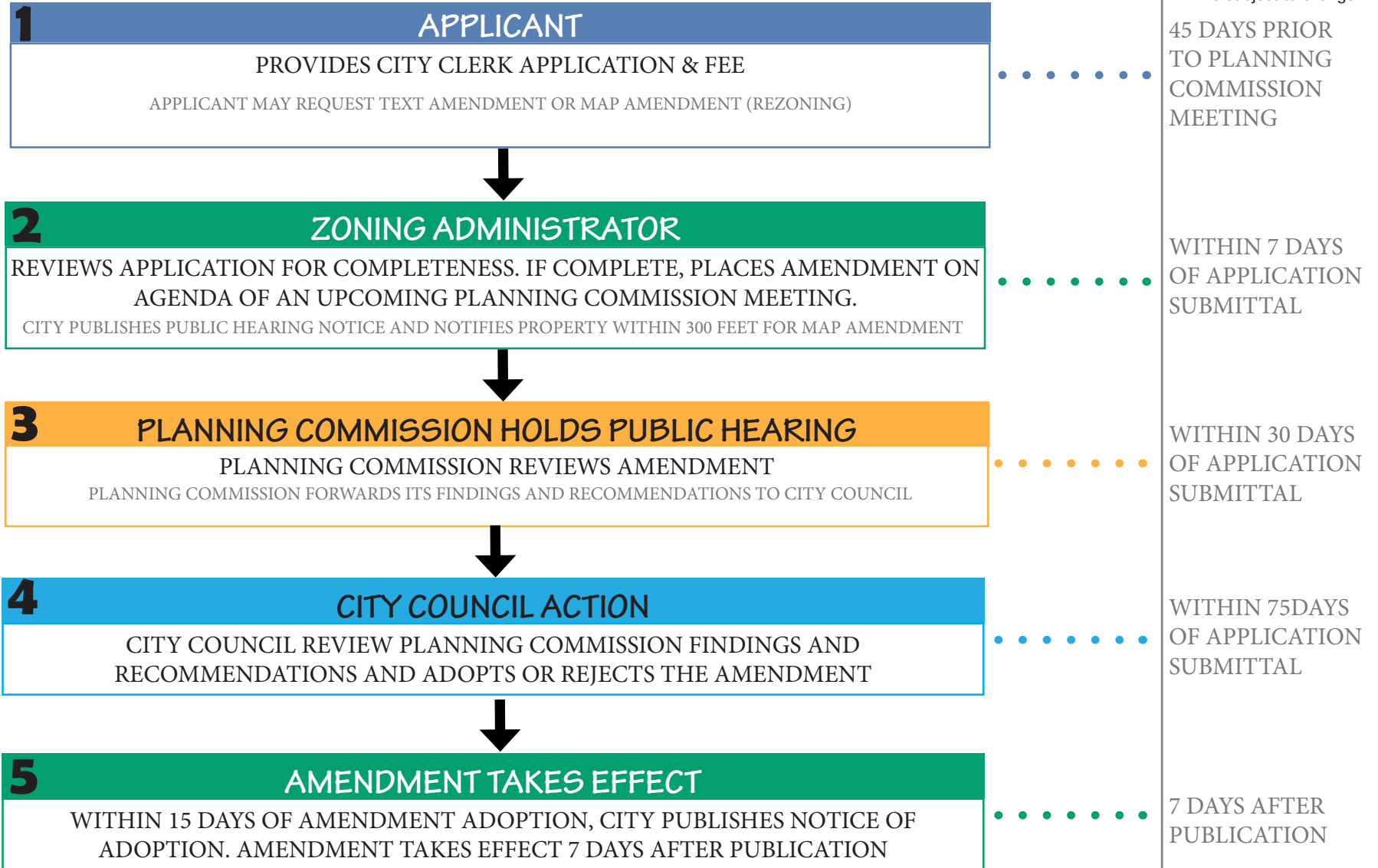
\_\_\_\_\_  
Date

# AMENDMENTS

## ZONING AMENDMENT PROCESS CHART

### TIMELINE

Timeline is a guide and is subject to change



This flowchart provides an overview of the amendment process, for complete details please see Zoning Ordinance Article 24.  
City of Rogers City 193 E. Michigan Ave, Rogers City, MI 49779 (989) 734-2191 [www.rogerscity.com](http://www.rogerscity.com)



## Excerpt from the Rogers City Zoning Ordinance

### 32-326 Amendment to this Ordinance

The City Council is authorized and empowered to cause this Ordinance to be amended, supplemented, or changed, pursuant to the authority and according to the procedures set forth in Act 110 of 2006, as amended.

- A. The regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the City of Rogers City Zoning Map may be amended, supplemented, or changed by action of the City Council following a recommendation from the Planning Commission.
- B. Proposals for amendments, supplements, or changes may be initiated by the City Council on its own motion, by the City Planning Commission, or by petition of one (1) or more owners of property to be affected by the proposed amendment.
- C. **FILING FEE:** Application for amendment shall be accompanied by the **fee as prescribed by the City Council**. No part of such fee shall be refundable to a petitioner. No fee shall be charged when the amendment is initiated by the Rogers City Planning Commission or Rogers City Council.

### 32-327 Amendment Procedure

- A. **APPLICATION:** A Petitioner shall submit a completed and signed application for Ordinance amendment along with the appropriate fees to the City Clerk. An application shall be submitted for each parcel of land which is not contiguous to any adjacent parcel of land being proposed for the same amendment.
- B. **ACTION OF CLERK:** The City Clerk shall review the application form to ensure it is complete. Any application not properly filed or complete shall be returned to the applicant. Complete applications shall be transmitted to the Planning Commission.
- C. **NOTICE OF HEARING:** After transmitting the amendment application to the Planning Commission the Clerk shall establish a date for a public hearing on the application which will be conducted by the Planning Commission within forty-five (45) days of the date of application receipt. The Clerk shall give notice of the public hearing pursuant to **§32-316**.
- D. **APPLICATION INFORMATION:**

When the petition involves a change in the Zoning Map, the applicant shall submit the following information to the City Clerk:

1. A legal description of the property.
2. A scaled map of the property, correlated with the legal description, and clearly showing the property's location.

**1** Authority & Purpose

**2** Definitions

**3** General Provisions

**4-19** District Regulations

**20** Plot Plan, Site Plans & Special Uses

**21** Supplemental Regulations

**22** Zoning Board of Appeals

**23** Administration & Enforcement

**24** Amendments & Adoption

## Excerpt from the Rogers City Zoning Ordinance

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3. The name and address of the applicant.
  4. The applicant's interest in the property, and if the applicant is not the owner, the name and address of the owner.
  5. Signature(s) of petitioner(s) and owner(s) certifying the accuracy of the required information.
  6. The desired change and reasons for such change.
- E. **PLANNING COMMISSION CONSIDERATION:** The Planning Commission shall consider each proposal for amendment on particular factors related to the individual proposal and in terms of the likely effect on the community's physical development. The Planning Commission may recommend any additions or modifications to the original proposal.
- F. **REZONING STANDARDS:** The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.
1. Is the proposed rezoning consistent with the current **Master Plan**?
  2. Are all of the allowable uses in the proposed district reasonably consistent with surrounding uses?
  3. Will there be an adverse physical impact on surrounding properties?
  4. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?
  5. Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?
  6. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?
  7. What is the impact on the ability of the City and other governmental agencies to provide adequate public services and facilities and/or programs that might reasonably be required in the future if the proposed amendment is adopted?
- G. **FINDINGS OF FACT:** The Planning Commission shall submit a final report indicating findings of fact/recommendation to the City Council along with a summary of the comments received at the public hearing.

## Excerpt from the Rogers City Zoning Ordinance

H. **OUTSIDE AGENCY REVIEW:** In determining the above-mentioned findings of fact the Planning Commission may solicit information and testimony from officials of, but not limited to, the following agencies:

1. **Presque Isle County Health Department.**
2. **Presque Isle County Road Commission.**
3. **Presque Isle County Drain Commission.**

I. **CITY COUNCIL REVIEW:**

1. The City Council may hold a public hearing if it considers it necessary or if otherwise required. Notice of such hearing shall be published using the procedures in **§32-316**. The City Council shall grant a hearing on a proposed Ordinance amendment to a property owner who requests a hearing by certified mail, addressed to the City Clerk. Notice of such hearing shall be published using the procedures in **§32-316**.
2. After receiving the recommendations of the Planning Commission, the City Council, at any regular meeting or at any special meeting called for that purpose, shall consider said findings of fact and recommendations and vote upon the adoption of the proposed amendment. Such action shall be by Ordinance, requiring a majority vote of the full membership of the City Council. The City Council may refer any proposed amendments to the Planning Commission for consideration and comment. The Planning Commission shall have sixty (60) days from such referral to make further recommendations to the City Council. In the event that an application is referred back to the Planning Commission, the City Council shall make specific mention of their objections to the Planning Commission's findings and recommendations. In order to lessen the possibility of adverse litigation concerning the zoning district decisions of the City Council, the City Council shall make a written record of the rationale for the action taken on each application for amendment to this Ordinance.

J. **PUBLICATION<sup>28</sup>:** Once adopted by the City Council, amendments to this Ordinance shall be filed with the City Clerk and one (1) notice of adoption shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption. Any amendments to this Ordinance shall take effect seven (7) days after publication or at a later date as may be specified by the City Council at the time of adoption.

K. **RE-SUBMITTAL OF APPLICATION FOR REZONING:**

An owner of property, his/her authorized agent, or other person shall not initiate action for rezoning affecting the same parcel more often than once every twelve (12) months. An exception to this rule may be made in those cases where the Planning Commission determines that conditions affecting the property have changed substantially, thereby justifying a repetition before twelve (12) months have elapsed from the date of the previous petition.

**1** Authority & Purpose

**2** Definitions

**3** General Provisions

**4-19** District Regulations

**20** Plot Plan, Site Plans & Special Uses

**21** Supplemental Regulations

**22** Zoning Board of Appeals

**23** Administration & Enforcement

**24** Amendments & Adoption



# Excerpt from the Rogers City Zoning Ordinance

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## 32-328 Protest Petition

- A. An amendment to this Zoning Ordinance is subject to a protest petition. If a protest petition is filed, approval of the amendment to the Zoning Ordinance shall require a 2/3 vote of the legislative body, unless a larger vote, not to exceed a ¾ vote, is required by ordinance or charter. The protest petition shall be presented to the City Council before final legislative action on the amendment and shall be signed by one (1) or more of the following:
  - 1. The owners of at least twenty (20) percent of the area of land included in the proposed change.
  - 2. The owners of at least twenty (20) percent of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.
  
- B. Publicly owned land shall be excluded in calculating the twenty (20) percent land area requirement under subsection A.

**MICHIGAN ZONING ENABLING ACT (EXCERPT)**  
**Act 110 of 2006**

**125.3405 Use and development of land as condition to rezoning.**

Sec. 405. (1) An owner of land may voluntarily offer in writing, and the local unit of government may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map.

(2) In approving the conditions under subsection (1), the local unit of government may establish a time period during which the conditions apply to the land. Except for an extension under subsection (4), if the conditions are not satisfied within the time specified under this subsection, the land shall revert to its former zoning classification.

(3) The local government shall not add to or alter the conditions approved under subsection (1) during the time period specified under subsection (2) of this section.

(4) The time period specified under subsection (2) may be extended upon the application of the landowner and approval of the local unit of government.

(5) A local unit of government shall not require a landowner to offer conditions as a requirement for rezoning. The lack of an offer under subsection (1) shall not otherwise affect a landowner's rights under this act, the ordinances of the local unit of government, or any other laws of this state.

**History:** 2006, Act 110, Eff. July 1, 2006.

**CITY OF ROGERS CITY  
COMPREHENSIVE FEE, RATE AND SERVICE SCHEDULE  
FOR F/Y 2023/2024**

***CEMETERY***

<b>Cemetery List</b>	\$50.00
<b>Burial Privilege / Site Transfer</b>	\$25.00
<b>Purchase Price:</b>	
Rogers City Resident	\$600.00
Non-Resident	\$1,000.00
<b>Burial Charges:</b> (winter defined as December 1 to March 31)	
Regular weekday	\$500.00
Saturday, Sunday, or Holiday	\$800.00
Winter weekday	\$800.00
Winter - Saturday, Sunday, or Holiday	\$1,100.00
Infant – regular weekday	\$200.00
Infant - Saturday, Sunday, or Holiday	\$250.00
Infant – winter weekday	\$400.00
Infant – winter Saturday, Sunday, or Holiday	\$500.00
Cremains – regular weekday	\$300.00
Cremains - Saturday, Sunday, or Holiday	\$400.00
Cremains – winter weekday	\$400.00
Cremains – winter Saturday, Sunday, or Holiday	\$600.00
<b>Repairs to graves by special request</b>	Actual Cost
<b>Disinterment at request of gravesite owner</b>	Actual Cost
<b>Disinterment &amp; re-interment at request of gravesite owner</b>	Actual Cost

***ENGINEERING DEPARTMENT***

<b>Late Fee for permits obtained after work has begun</b>	\$35.00
<b>Blueprint copies (24" x 36") each (old mylar prints)</b>	\$10.00
<b>Color 11" x 17" maps (each)</b>	\$10.00
<b>Color 24" x 36" maps (each)</b>	\$15.00
<b>Sidewalk Permit</b>	\$15.00
<b>Driveway extension and curb cuts permit</b>	\$25.00
<b>House moving</b>	\$50.00
<b>Inspection of sanitary sewer service construction or replacement: (inspection \$30, material costs \$336)</b>	\$366.00
<b>See also Planning and Zoning Department</b>	

**CITY OF ROGERS CITY  
 COMPREHENSIVE FEE, RATE AND SERVICE SCHEDULE  
 FOR F/Y 2023/2024**

***PLANNING AND ZONING***

<b>Late Fee for Permits after work has begun</b>	\$35.00
<b>Copy of Zoning Ordinance</b>	\$50.00
<b>Copy of Comprehensive Plan</b>	\$50.00
<b>Special Meetings</b>	\$200.00
<b>COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY PERMITS</b>	
<b>Signs</b>	\$35.00
<b>Zoning Letter</b>	\$35.00
<b>Site Plan:</b> Site Plan Review by staff	
Construction Costs between \$1 - \$10,000	\$35.00
Construction Costs between \$10,001 - \$100,000	\$150.00
Construction Costs over \$100,000 - Staff Site Plan Review and Planning Commission Site Plan Review	\$225.00
Staff and Planning Commission Site Plan Review with Special Use Permit and Public Hearing	\$300.00
<b>Change of Use</b>	\$35.00
<b>Home Occupation</b>	\$35.00
<b>Street Name Change Request:</b>	\$100.00
<b>New Subdivisions:</b>	
Preliminary plat review fee	\$300.00
Final plat review fee	Actual Cost
Construction review fee (engineering)	Actual Cost
Attorney Fee	Actual Cost
<b>REZONING</b>	
Requests/Ordinance and/or map change	\$300.00
<b>VARIANCES</b>	
Residential request	\$300.00
Multifamily, Commercial, Industrial Request	\$400.00
<b>RESIDENTIAL PERMITS</b>	
New Homes	\$70.00
Additions	\$35.00
Garage/Pole Barns (accessory buildings)	\$35.00

<b>CITY OF ROGERS CITY COMPREHENSIVE FEE, RATE AND SERVICE SCHEDULE FOR F/Y 2023/2024</b>	
<b><i>PLANNING AND ZONING cont.</i></b>	
Fences	\$25.00
Patio decks	\$25.00
Irrigation System in ROW	\$25.00
Keeping Chickens	\$25.00
<b><i>WASTEWATER TREATMENT/SEWER SERVICES</i></b>	
<b>Connection/Tap-In Fee</b> (To bring service to property line)	Actual Cost/ \$750.00 min.
<b>Frontage or Area Fees:</b> For <i>new construction</i> , Frontage or Area Fees may be charged in order to recover the costs of extending the mains and providing the service for properties that have never had sewer service previously and/or where a sewer main is presently installed to service the premises. Frontage or Area Fees will be computed based upon actual costs of providing the services, including the extension of the mains and leads to the property line. <b>NOTE:</b> Properties in which Special Assessments have been levied or private developers have paid for the costs of utility construction, Frontage or Area Fees may be waived.	Actual Cost
<b>Lab analysis: Cost is per sample - per parameter</b>	
Utilizing in-house lab(pH, TSS, CBOD, Total P, Fecal)	\$40.00 each
Utilizing commercial lab (Paragon Labs)	Cost plus 18% plus freight
<b>Sale of supplies</b>	Cost plus 18%
<b>Surcharges: (For extra strength waste)</b>	
BOD in excess of 200 mg/l	TBD on a case by case scenario at current treatment costs
Suspended Solids in excess of 200 mg/l	
Phosphorous in excess of 5 mg/l	