

APPENDIX A: ZONING PROCEDURES SUMMARY

This appendix provides a brief summary of the review procedures provided for within the Zoning Regulations of the City of DeWitt. Application forms and additional information are available in the office of the Building Official.

The first step in any development process should be a review of the Zoning Regulations as they affect the subject property and a discussion with City staff to gain a thorough understanding of the administration of the Regulations. This initial step is important prior to any change in the use of property or buildings. Whether a rezoning request, a home office, a new residence, a commercial or industrial building, a parking lot or a swimming pool is planned, each of these projects involves contact with the Zoning Regulations. While an initial discussion is not required by the Zoning Regulations in most cases, it is always encouraged.

To build a structure on a lot or tract of land located in a zoning district allowing that use requires a building permit. Prior to granting the permit, a zoning certificate will be issued by the Building Official indicating that the lot and proposed use meet all requirements of the Zoning Regulations, such as size of lot, proposed yards, parking provisions, conformity with uses permitted in the zoning district, etc. The Board of Adjustment functions as an appeal board, and a party asserting that error exists in any determination of the Building Official has the right to petition the Board for a decision on the matter.

If a zoning requirement cannot be satisfied, because of some unique characteristic of the property or use, or some hardship peculiar to the site, the owner may petition the Board of Adjustment for a variance. The situation must be unique, not a circumstance occurring with regularity on other property, and may not be a self-induced hardship in most cases. The DeWitt Zoning Regulations include a specific provision for waiving or varying the parking and loading requirements based on demonstrated needs of a proposed use.

The Board also has the authority to monitor and approve certain conditional uses (uses which are allowed within a district when established criteria are satisfied) and to consider for approval special uses within each zoning district. Special uses may be allowed within a particular zoning district if criteria are satisfied; however, the requirements are generally more extensive (than conditional uses), because of the greater change of incompatibility with the surrounding neighborhood and the associated need to protect established uses.

The Zoning Regulations provide more detailed insight into the kind of information needed to support a petition to the Board. The requirements vary because of the diversity of matters which can be considered and the data needed for the Board to make a valid decision. Most of the procedures require the Board to conduct a public hearing following a public notice on the issue.

From time to time, the text or map of the Zoning Regulations may be amended. Such amendments will occur after a report by the Planning Commission and final decision by the Council in a public hearing process. Rezoning may be initiated by the City itself, or by a private party. The Planned Development District is a special zoning district only available in contemplation of a particular development characterized by high quality commercial/professional uses designed to be located in an aesthetically attractive physical environment. The Regulations provide for a three tiered, detailed review process for PDD projects

ATTACH APPLICATION FORMS AND CHECKLIST FOR REZONING, SPECIAL USE, APPEAL OR VARIANCE, CONDITIONAL USE, PDD.