



**Minor Modification to a PUD**

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

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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

2) Property location / Address: \_\_\_\_\_

3) Parcel ID: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_

4) Township: \_\_\_\_\_

5) Reason for Modification: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6) Percentage of deviation: \_\_\_\_ % from approved building setback requirements

7) Property Description: \_\_\_\_\_

8) Lot Number(s): \_\_\_\_\_

9) Zoning Classification: \_\_\_\_\_

10) Section(s) (of W.C. Zoning Code) requested for Minor Modification to a PUD \_\_\_\_\_  
\_\_\_\_\_

**I/We, the undersigned, attest and affirm that all information supplied by me, is true and correct.**

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

Applicant(s) Signature(s): \_\_\_\_\_ Date: \_\_\_\_\_

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

Applicant(s) Signature(s): \_\_\_\_\_ Date: \_\_\_\_\_



**1.305.8      Modification to An Approved PUD:**

- (A)    **Minor Modifications:** A modification of an approved PUD Stage 3 plan which does not deviate by more than ten percent (10%) from approved building setback requirements may be approved by the Zoning Inspector. A modification which exceeds this standard but otherwise substantially conforms to the approved PUD plan may be approved by the Zoning Inspector, subject to notice and the procedures of this Section. A proposed modification of the approved PUD Stage 3 Plan that is determined minor by the Zoning Inspector, per Section 1.305.8(D), is permissible for Zoning Inspector approval after completing the following procedures:
- (1)    Notice of intent to permit such modification is provided to the Township Trustees and applicable review agencies.
  - (2)    Publication of notice in a newspaper of general circulation available to the affected community. A sign posted on the subject property for at least 10 calendar days. After public notice, no written disagreement specifically related to the requested modification has been received by the zoning inspector within two weeks (14 days) after the publication. Additional time may be required for comments from the applicable review agencies.
  - (3)    If written disagreement is expressed, the modification requires BOCC approval processed as a PUD Stage 2 amendment.
- (B)    **PUD Stage 1 Modifications:** The Zoning Inspector may determine that a modification to an approved PUD shall be reviewed at PUD Stage 1 of the review process if the requested amendment:
- (1)    Increases the maximum density or intensity as established at PUD Stage 1.
  - (2)    Reduces the minimum open space or natural area as established at PUD Stage 1.
  - (3)    Significantly alters a road pattern.
  - (4)    Changes allowable uses.
  - (5)    If the amendment changes any standards or policies specifically established during PUD Stage 1 of the PUD approval process including but not limited to; setback, height of structures, signage, or design standards.

Requested changes to these criteria require a resubmission for PUD Stage 1 approval and shall comply with the applicable process and requirements of Section 1.304 (Zoning Amendment Application).

- (C)    **PUD Stage 2 Revisions:** The Zoning Inspector may determine that a modification to a previously approved PUD is exempt from PUD Stage 1 review and shall be reviewed at the PUD Stage 2 level if the requested amendment:
- (1)    Modifies any area of landscaping; buffers; open space; setbacks; structural or signage height; or parking spaces by no more than ten percent (10%) provided it does not violate any specific standard established at PUD Stage 1;
  - (2)    Increases the total number of lots approved at Stage 2 Site Plan Review, but remains in compliance with the number of lots and density approved at PUD Stage 1;
  - (3)    An increased encroachment within the designated floodplain; wildlife habitat of an endangered or threatened species; any historic or archaeological resource; or any area within a tree survey area as specified in Section 1.303.3 (B) (15); that increases the previously approved encroachment (PUD Stage 1) by less than an twenty percent (20%), provided it does not violate any specific standard established at PUD Stage 1;

- (4) Does not result in significant adverse offsite impacts, including, but not limited to; traffic impacts, noise or light pollution, or stormwater runoff.
- (D) **PUD Stage 3 Revisions:** The Zoning Inspector may determine that a modification to a previously approved PUD Stage 2 Site Plan is exempt from PUD Stage 1 and PUD Stage 2 reviews but may be reviewed at Stage 3 Final Site Plan provided the following criteria are met:
- (1) The modification does not exceed any numerically specified requirement of the PUD Stage 2 approval which would result in greater than a ten percent (10%) increase of an approved maximum requirement established at PUD Stage 2 or the same allowance as a decrease of an approved minimum requirement established at PUD Stage 2.
  - (2) The change is necessary because of a natural feature or other unanticipated site constraints of the subject property not foreseen by the applicant or the county prior to the approval of the development plan;
  - (3) The change made during development improves public safety or is made in order to comply with further requirements of other authorities.
  - (4) The changes do not significantly affect surrounding property or the approved plan layout.
  - (5) If an addition or expansion has been approved within the preceding twenty-four (24) month period, the combined additions will not add nonresidential floor area that exceeds twenty percent (20%) of existing gross floor area of the development plan.
  - (6) Alter any element or design of the PUD Stage 2 Plan which would necessitate re-approval by another involved permitting authority, unless such authority would approve of the modification, once notified as specified in Section 1.305.10 and provided no objection would be raised by any other party of interest with regard to such approval.
  - (7) Changes in landscaping species are consistent with the standards of this code and any standards established as part of PUD Stage 1 or PUD Stage 2; changes in landscape standards to not reduce the total amount of landscaping or buffering required as part of stage 1 and do not deduce the total amount of landscaping or buffering required at PUD Stage 2 by more than ten percent (10%).
  - (8) Any changes in the boundary or arrangement of a structure does not violation minimum standards established as part of Stage 1 nor significantly affect locations of other components of the approved site plan requirements or conditions established at PUD Stage 2.
  - (9) The amendment does not result in structures, vehicle circulation, pedestrian circulation, or parking areas being moved significantly in any direction provided said changes do not violate standards established at PUD Stage 1 or PUD Stage 2 and provided such changes are for purposes of improved safety or to eliminate conflict with other components in the site which will not have negative off-site impacts.
  - (10) Changes in signage or lighting which will not affect off-site properties provided they violate no standards established at PUD Stage 1 or any numeric standards established at PUD Stage 2 by more than ten percent (10%).