

**ARTICLE 24**

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**PROCEDURE FOR OBTAINING ZONING PERMIT  
REQUESTING CHANGE**

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**ARTICLE 24 - PROCEDURE FOR OBTAINING ZONING PERMIT \_\_\_\_\_ 24.00**  
**REQUESTING CHANGE IN ZONING**

**Sec. 24.01 PURPOSE**

All excavation for, or construction of any building, structure or parking area, or structural changes in any existing building or structure requires a zoning permit issued from the Zoning Administrator. In instances where a use on property located within a particular district is not identified as a permitted use or as a use allowed by special permit within that district, an eligible applicant may request a change in the zoning of that property to a zoning district where that use is permitted by right or allowed by special permit. An option to a request to rezone a particular property is to request an amendment to the Ordinance text to include that specified use or uses within a particular district. For property development beyond single or two family homes, accessory and subordinate buildings that do not require new access to public roads, the expansion or remodeling of existing structures, and additional structures similar to existing structures on a site (if all of the above comply with all zoning ordinance requirements), a site plan review will be required to ensure that the development or improvements do not produce health, safety or protection hazards.

**Sec. 24.02 ZONING PERMITS**

a. **CONDITIONS UNDER WHICH REQUIRED**

No person shall commence excavation for, or construction of, any building, structure, or parking area, or make structural changes in any existing building or structure, without first obtaining a zoning permit from the Zoning Administrator. No permit shall be issued for the construction, alteration, or remodeling of any building or structure, until an application has been submitted, in accordance with provisions of this ordinance, showing that the construction proposed is in compliance with the provisions of this ordinance. An extension of a zoning permit shall be allowed by authorization of the Zoning Administrator, after reasonable cause for an extension is shown by the applicant. No more than one extension, not to exceed a six (6) month period, may be allowed.

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b. PERMIT REQUIREMENTS

Every application for a permit shall designate the existing or intended use of the structure or premises or part thereof which it is proposed to alter, erect, or extend, and the number of dwelling units, if any, to occupy it. The application shall be accompanied by one ink, blueprint, or photostat copy of drawings, drawn to scale, showing the actual lines, angles, and dimensions of the lot to be built upon or used and exact size and location on the lot of all existing and proposed structures and uses, together with specifications. The application shall contain other information with respect to the lot and adjoining property as may be required by the Zoning Administrator.

c. Permit expiration - extension of one hundred and eighty (180) days.

**Sec. 24.03 DISTRICT CHANGES AND SECTION AMENDMENTS**

- a. In accordance with the provisions of P.A. 110 of 2006, as may be amended, the Township Board may amend, or change by ordinance, the number, shape, or area of districts established on the zoning map or the regulations set forth in this section. However, no amendment or change shall become effective unless the ordinance proposing the amendment or change shall first be submitted to the Planning Commission for approval, disapproval, or suggestions, and the Planning Commission shall have been allowed a reasonable time, not less than thirty (30) days, for consideration and report.
- b. Any person or persons desiring a change in the zoning ordinance text or map shall make application to the Zoning Administrator. In case of a zoning ordinance text amendment, a letter shall be submitted which shall contain the requested change and the reason for the change. In case of a desired zoning map change or rezoning a description shall be submitted which shall legally describe the property involved, the zone change desired, and the reason for the change. With either type of request there shall be an accompanying remittance of a fee to cover costs encountered in conducting a public hearing, as set by the Township Board.

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- c. The Zoning Administration shall refer all applications, for either a change in the zoning ordinance text or zoning map, to the Planning Commission. Before submitting its recommendations and report to the Township Board, the Planning Commission shall conduct a public hearing on the proposed amendment. The publication notice for such hearing and notification of property owners or occupants within 300 feet of the subject property shall adhere to the requirements under Sec. 103 of the Michigan Zoning Enabling Act.
- d. After receiving the recommendations and report from the Planning Commission, the Township Board may deny the request or enact an amendment to the zoning ordinance, or zoning map.
- e. Following adoption of a zoning ordinance and subsequent amendments by the Township Board, one notice of adoption shall be published in a newspaper of general circulation in the Township within 15 days after adoption. The notice shall include the following information.
  - 1. In the case of amendment to an existing ordinance, either a summary of the regulatory effect of the amendment including the geographic area affected, or the text of the amendment.
  - 2. The effective date of the ordinance.
  - 3. The place of and time where a copy of the ordinance may be purchased or inspected. The filing and publication requirements in this section relating to the Township zoning ordinance supersede charter provisions relating to the filing and publication of Township ordinances.

**Sec. 24.04 PUBLIC NUISANCE, PER SE**

Any building or structure which is erected, altered, or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this section and in violation of any of the provisions thereof, is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

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**Sec. 24.05 RIGHTS AND REMEDIES ARE CUMULATIVE**

The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.