

Article 84: Permits

8401 Land Use Permits

No land *shall* be **Occupied** or used and no **Building** or **Structure shall** hereafter be erected, **Altered** or relocated under the provisions of this Ordinance until a permit authorizing the **Use shall** be issued by the **Administrator**.

8402 Activity Prior to Permit

No site excavation, clearing, landscaping or promotion of the development *shall* occur until after the zoning permit is issued.

8403 Land Use Applications

- A. If a **Use** is listed in a respective land **Use** Area as a permitted **Use**, anyone with an interest in a **Parcel** may apply for a zoning permit under this **Section**. Zoning permit applications are made on a form available at the **Village** office.
- B. Nothing in this Ordinance is intended to prohibit an applicant from having a pre-application meeting with the **Administrator**.
- C. The **Administrator shall** require that the application include the form, copies of plans, specifications and such other information as he or she may deem necessary to ensure compliance with the requirements of this ordinance. Such other information *shall* include, but not be limited to:
 - 1. A site plan, drawn to the specifications of **Section** 9404, 9405, or 9406 of this Ordinance, including a façade plan, drawn to the specifications of **Section** 9404.G of this Ordinance.
 - 2. The legal seating and/or sleeping capacity of all **Buildings** and **Structures**, if applicable.
 - 3. A concise statement of all operations and **Uses** which *shall* be conducted on the land and **Buildings**.
 - 4. A concise statement of the services, if any, to be offered to the public, if applicable.
 - 5. Any other information required by this Ordinance.
 - 6. A non-refundable fee. The fee *shall* be established from time to time by the **Village Council**.
 - 7. An escrow, if applicable, for complex applications in an amount which *shall* be collected in escrow to pay for all costs of professional review expenses of engineers, community planners, lawyers, and any other professionals whose expertise the **Commission** values and hires to review an application. The amount of escrow *shall* be established from time to time by the **Village Council**, or the amount *shall* be estimated by the **Administrator** for the particular application. The applicant *shall* receive a copy of the statement of fees for those professionals who worked on the application. If actual professional review costs exceed the amount of an escrow, the applicant *shall* pay the balance due prior to receipt of any Permit. If any unexpended balance remains in the escrow it *shall* be returned to an applicant.
 - 8. A copy of any other necessary permits required prior to a Michigan State Construction Code permit (P.A. 230 of 1972, as amended, (being the Stille-Derossett-Hale Single State Construction Code Act M.C.L. 125.1501 et. seq.)). This requirement may be delayed by the **Commission** when the permit is issued conditioned upon future approval of a site plan. Final site plan approval *shall* not take place until a copy of all other necessary permits are submitted with the site plan for approval.
- D. The application, and all the supporting documents, *shall* be kept by the **Village** as part of its permanent records.
- E. The application and site plan *shall* show the proposed **Use** and **Structures** which *shall* be

developed in compliance with all aspects of this Ordinance.

- F. Upon receipt of a zoning permit application, the zoning **Administrator shall** review the application to insure it is complete, to coordinate its review with other agencies, if required:
1. If the application is not complete, the **Administrator shall** return the application with a letter that specifies the additional material required.
 2. If the application is complete, but is found not to conform with this Ordinance, a permit denial **shall** be sent to the applicant, in writing, listing how the application fails to comply with the Ordinance, and what changes would be necessary to obtain a permit, if any changes made would make it possible for a permit to be issued.
 3. If the application is complete and the proposed land **Use** and **Structures** are found to comply with this Ordinance, a zoning permit **shall** be issued.
- G. A zoning permit **shall** be required prior to the issuance of a Michigan State Construction Code permit, issued pursuant to P.A. 230 of 1972, as amended, (being the Stille-Derossett-Hale Single State Construction Code Act, M.C.L. 125.1501 et. seq.)

8404 Permit Exemptions

Section 8402 notwithstanding, a zoning permit or fee is not needed under this **Section** for the following **Uses**:

- A. Only exterior or interior improvement or repair and which does not structurally alter the premises or change the exterior shape or form of any **Building** in any manner, and the **Use** of the land remains one of those listed as permitted in the respective land **Use** Area.
- B. Relocation or replacement of machinery or equipment within a **Building** located in a commercial or industrial zone, conforming to the provisions of this Ordinance and used for commercial or industrial purposes, nor for any modification to such **Building** in connection with said relocation or replacement, unless said modification structurally alters the premises or changes the exterior shape or form in any manner.
- C. The erection, construction, alteration, or maintenance by public utilities or municipal departments or **Commissions** of above ground or underground gas, electrical, water, communication, or sewer systems, for the local distribution and/or collection systems via pipes, drains, sewers, wires, cables, traffic signals, hydrants, and similar equipment and accessories in connection therewith reasonably necessary for furnishing adequate service to individual customers/clients, but not including towers, pools, electrical substations, gas regulation stations, regional, long distance, interstate distribution or collection systems.
- D. Open Space.
- E. Hedges, arbors, trees, gardens, plants, shrubs.
- F. Private walkways to **Dwellings**, **Duplexes**, **Apartment Buildings**.
- G. Domestic animal shelter for one's own pets, (not including shelters for any livestock, or dog kennel).
- H. Accessory **Structures** to **Dwellings** and **Duplexes** which are constructed by minors, children, their parents or guardians for purposes of play by the minors and children including, but not limited to, play houses, dollhouses, treehouses, forts, hideouts, and so on, so long as such accessory **Structures** adhere to setback requirements of this Ordinance.
- I. Accessory **Structures** used for storage which is one floor, is less than 120 square feet, and is not over 10 feet high, so long as such accessory **Structures** adhere to setback and **Parcel** coverage requirements of this Ordinance.
- J. **Personal** property sales.
- K. Signs which indicate land is private property, trespassing is not allowed, hunting or other specific activities are not allowed.

8405 Start Work Deadline

A permit issued under this **Article** is void if the **Use** is not commenced within one (1) year. A renewal may be granted by the **Administrator** after a restudy of the permit at no cost to the applicant, and the

applicant continues to meet all requirements for a permit.

8406 Void Permits

- A. A violation of any condition or specification in a permit issued under this **Article shall** void the permit.
- B. Any improper or incorrect information contained in the application for permit issued under this **Article shall** void the permit until properly corrected upon the permit application; provided that, as corrected, the applicant continues to meet all requirements for a permit.

